

ESTTA Tracking number: **ESTTA554602**

Filing date: **08/16/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206463
Party	Plaintiff BHPC Associates LLC
Correspondence Address	ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2410 NEW YORK, NY 10165 UNITED STATES mail@ipcounselors.com
Submission	Other Motions/Papers
Filer's Name	Robert L. Epstein
Filer's e-mail	mail@ipcounselors.com
Signature	/robert l. epstein/
Date	08/16/2013
Attachments	081613 Motion.pdf(121955 bytes ) 081613 ExhibitA1.pdf(768354 bytes ) 081613 ExhibitA2.pdf(4140326 bytes ) 081613 ExhibitA3.pdf(1585201 bytes ) 081613 ExhibitB.pdf(1101416 bytes ) 081613 ExhibitC.pdf(213003 bytes ) 081613 ExhibitD.pdf(156937 bytes ) 81613 ExhibitE.pdf(163925 bytes ) 081613 ExhibitF.pdf(89087 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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BHPC ASSOCIATES LLC,	:	
	:	
Opposer,	:	Opposition No. 91206463
	:	Serial No.: 85477199
v.	:	
	:	
	:	
YOUNG, RICH C.	:	
	:	
Applicant.	:	
	x	

**MOTION FOR SUSPENSION OF PROCEEDINGS**

Opposer hereby moves for an Order suspending the above captioned proceeding pursuant to 37 CFR 2.117(a) pending a final determination of the Motion to Amend and the Motion for Summary Judgment in Opposition No. 91206846, PRL USA Holdings, Inc. v Rich C. Young (the “PRL Opposition”), which determination may have a bearing on the issues before the Board in this proceeding and may in fact be determinative of the issues this proceeding.

This proceeding involves the same application, the same applicant, the same mark and the same goods as the PRL Opposition.

The Motion to Amend and the Motion for Summary Judgment currently before the Board in the PRL Opposition both relate to the issue of whether the opposed application was void *ab initio* for lack of *bona fide* intent to use Applicant's Mark. The motions are based on Applicant's responses to interrogatories and document requests in that opposition. A true copy of the Motion to Amend is annexed hereto as EXHIBIT A. A true copy of the Motion For Summary Judgment is annexed hereto as EXHIBIT B.

The identical issue has come to light in this proceeding, based upon similar discovery responses, including the same total absence of any documentary evidence on the part of Applicant demonstrating such intent, *Boston Red Sox*, 88 USPQ2d 1581 and *Commodore Electronics Ltd. V CBM Kabushiki Kaisha*, 26 USPQ2d 1503, 1507 (TTAB 1993). The Board has already decided that a mere statement of subjective intent is not sufficient to establish the requisite *bona fide* intent, *Lane Ltd v Jackson International Trading Co.*, 33 USPQ2d 1351, 1356 (TTAB 1994).

Applicant's lack of *bona fide* intent to use his mark is amply demonstrated by his responses to interrogatories and requests for production in this proceeding.

On May 17, 2013, Opposer served Opposer's First Set of Interrogatories to Applicant Rich C. Young on Applicant, a true copy of which is annexed hereto as EXHIBIT C. A true copy of the Response Opposer's First Set of Interrogatories to Applicant Rich C. Young dated June 1, 2013 is annexed hereto as EXHIBIT D. The latter document was improperly submitted to the Board by Applicant; see decision of June 29, 2013.

Interrogatory No. 6 requested that Applicant “Identify and describe each of the goods on which Applicant’s Mark has been used or is intended to be used.”

The Response: “Applicant doesn’t have any business activities yet.”

Interrogatory No. 7 requested that Applicant “Identify and describe each of the goods on which Applicant’s Mark has been used or is intended to be used in commerce.”

The Response: “Applicant doesn’t open the business yet. So Applicant’s Mark not has been used or is intending to use in commerce.”

Interrogatory No. 13 requested that: “With respect to the use or intended use of Applicant’s mark in commerce, identify the following documents:

- A) all business and/or marketing plans
- B) all correspondence with third party manufacturers and/or vendors, and
- C) all internal memoranda and/or e-mail correspondence regarding specific plans to produce and /or launch products in commerce identified by Applicant’s Mark

The Response: “We are not open any business yet, so We don’t have any activity regarding on the above mentioned questions.”

Interrogatory No. 15 requested that Applicant “State whether Applicant had a bona fide intent to use Applicant’s mark in commerce on shirts on the date on which the Opposed Application was filed.

The response: “Applicant doesn’t open for business yet, so Applicant doesn’t have any activity yet.”

Interrogatory No. 16 requested that Applicant “Set forth in detail each fact which supports or tends to support the claim that Applicant had a bona fide intent to use Applicant’s mark in commerce on shirts on the date on which the Opposed Application was filed.”

The response: "Applicant doesn't open for business yet, so Applicant doesn't have any use of the Mark."

Interrogatory No. 17 requested Applicant to "State the channels of trade in which Applicant's Mark is, has been or is intended to be used and/or in which goods bearing Applicant's Mark are, have been or are intended to be sold."

The response: Applicant doesn't open for business yet, so Applicant doesn't have any activity as mentioned on above."

Interrogatory No. 18 requested Applicant to "Identify with specificity the marketing methods used or intended to be used in the advertising and/or sale of goods under Applicant's Mark."

The response: "We don't open for the business yet, so we don't have any activity as mentioned on above."

On May 17, 2013, Opposer served Opposer's First Set of Requests for Production of Documents to Applicant Rich C. Young on Applicant, a true copy of which is annexed hereto as EXHIBIT E. A true copy of the Response to Opposer's First Set of Requests for Production of Documents to Applicant Rich C. Young dated June 1, 2013 is annexed hereto as EXHIBIT F. The latter document was improperly submitted to the Board by Applicant; see decision of June 29, 2013.

Request No. 3 requested that Applicant “Produce all documents which record, refer to, or relate to Applicant's use or intent to use Applicant's Mark in commerce in connection with any goods and/or services.”

Request No. 4 requested that Applicant “Produce all documents which record, refer to, or relate to Applicant's advertising, intended advertising, promotion, and/or intended promotion of any goods under Applicant's Mark in commerce.”

Request No. 15 requested that Applicant “Produce all documents which, in whole or in part, refer or relate to Applicant’s intent to use Applicant’s Mark in commerce.”

Request No. 16 requested that Applicant “Produce all documents which, in whole or in part, support a claim that Applicant had a bona fide intent to use Applicant’s Mark at the time the Opposed Application was filed.”

Applicant produced not a single document in response to any of the above Requests (or to any of the Requests, for that matter).

Based on the above, it is clear that Applicant has no information or documents that could support a *bona fide* intent to use the opposed mark in commerce at the time the opposed application was filed. It is also clear that the very same issues exist in this opposition as exist in the PRL Opposition, that those very same issues are currently raised in the motions before the Board in the PRL Opposition, and that the determination of the motions currently before the

Board in the PRL Opposition will have bearing on and may be determinative of the issues before the Board in this proceeding.

Accordingly, Opposer respectfully requests that this proceeding be suspended until the pending motions in the PRL Opposition are decided. Further, in the event that this motion is not granted, Opposer respectfully requests that all dates in the current schedule be reset to allow Opposer to complete discovery in this Opposition.

Respectfully submitted,

**EPSTEIN DRANGEL LLP**

By: 

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William C. Wright

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Dated: August 16, 2013

## EXHIBIT A



ESTTA Tracking number: **ESTTA547216**

Filing date: **07/08/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206846
Party	Plaintiff PRL USA Holdings, Inc.
Correspondence Address	DANIEL I SCHLOSS GREENBERG TRAURIG LLP 200 PARK AVENUE 34TH FLOOR NEW YORK, NY 10166 UNITED STATES kertzers@gtlaw.com, schlosd@gtlaw.com, biancoc@gtlaw.com, kauperk@gtlaw.com, nytmdkt@gtlaw.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Seth E. Kertzer
Filer's e-mail	kertzers@gtlaw.com, schlosd@gtlaw.com, biancoc@gtlaw.com, nairm@gtlaw.com, NYTMDKT@GTLAW.com
Signature	/Seth E. Kertzer/
Date	07/08/2013
Attachments	FULL Motion to Amend and Exhibits (IRISH) - reduced size.pdf(4730960 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: U.S. Application Serial No. 85477199



Mark:

Published: July 17, 2012

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PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

-----X

**OPPOSER'S MOTION TO AMEND NOTICE OF OPPOSITION TO ALLEGE  
ADDITIONAL CLAIM FOR RELIEF**

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, and Rule 2.107(a) of the Trademark Rules of Practice, Opposer PRL USA Holdings, Inc. ("Opposer" or "PRL") hereby moves the Trademark Trial and Appeal Board for leave to file an Amended Notice of Opposition. Opposer's Amended Notice of Opposition seeks to allege a Third Claim for Relief, namely, Lack of *Bona Fide* Intent to Use.

**BACKGROUND**

On or about November 19, 2011, Applicant Rich C. Young ("Applicant") filed Application Serial No. 85477199 (the "Application") with the United States Patent and



Trademark Office ("U.S.P.T.O.") to register

("Applicant's Mark")

for use on or in connection with "Shirts" in International Class 25. The Application is based solely on Section 1(b) of the Lanham Act, 15 U.S.C. §1051(b). On August 31, 2012, Opposer filed a Notice of Opposition against the Application on the grounds of Likelihood of Confusion and Dilution.

During the course of discovery, Applicant has repeatedly made clear in his responses that he has undertaken no business planning or other business activities whatsoever with respect to Applicant's Mark. Additionally, despite document requests properly put forth by Opposer, Applicant has generated no documents whatsoever evidencing his intention to use Applicant's Mark, nor provided any explanation for his failure to do so. Based on Applicant's responses to Opposer's discovery requests, Opposer believes that Applicant cannot corroborate his claim that he had a *bona fide* intent to use the Applicant's Mark on or in connection with the goods identified in the Application when he applied to register Applicant's Mark on November 19, 2011. Consequently, Opposer believes that the Application is *void ab initio* under Section 1(b) of the Lanham Act.

Opposer now seeks leave to amend its Notice of Opposition to include a Third Claim for Relief, namely, Lack of *Bona Fide* Intent to Use. Opposer's proposed First Amended Notice of Opposition is attached hereto as **Exhibit A**.

### **ARGUMENT**

In order to register a mark in the United States under Section 1(b) of the Lanham Act, an applicant must verify in writing that he or she has a *bona fide* intention to use the mark in commerce. 15 U.S.C. § 1051(b)(3)(C). A determination of whether an applicant has a bona fide

intention to use the mark in commerce is an objective determination based on all the circumstances. *See Boston Red Sox Baseball Club LP v. Sherman*, 88 USPQ2d 1581 (TTAB 2008); *see also Lane Ltd. v. Jackson International Trading Co.*, 33 USPQ2d 1351, 1355 (TTAB 1994). The TTAB has held that the absence of any documentary evidence on the part of an applicant regarding such intent constitutes objective proof sufficient to prove that the applicant lacks a *bona fide* intention to use its mark in commerce. *See Boston Red Sox Baseball Club LP v. Sherman*, 88 USPQ2d 1581 (TTAB 2008); *see also Commodore Electronics Ltd. v. CBM Kabushiki Kaisha*, 26 USPQ2d 1503, 1507 (TTAB 1993). The TTAB has further stated that an applicant's "mere statement of subjective intent" alone, will never be sufficient to establish a *bona fide* intent to use the mark in commerce. *Lane Ltd.*, 33 USPQ2d at 1356.

In this instance, not only does Applicant lack any documentary evidence of its intent to use Applicant's Mark in commerce, Applicant affirmatively states that he has neither taken any action nor made any plans to use Applicant's Mark in commerce. In response to Opposer's First Set of Interrogatories to Applicant sent April 2, 2013, on April 18, 2013, Applicant provided the following responses:

**Interrogatory No. 1:**

Identify all Products offered or intended to be offered for sale by Applicant bearing Applicant's Mark.

**Response to Interrogatory No. 1:**

We are in intention to use status; We don't have any business yet.

**Interrogatory No. 3:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

**Response to Interrogatory No. 3:**

We are in intention to use status, We don't have any business planning yet.

**Interrogatory No. 5:**

Identify Applicant's total revenues from the sale and/or licensing of goods in 2011 and 2012.

**Response to Interrogatory No. 5:**

We are in intention to use status, We don't have any business yet.

**Interrogatory No. 6:**

Identify the goods manufactured, sold, and/or distributed by Applicant in 2011 and 2012.

**Response to Interrogatory No. 6:**

We are in intention to use, We don't manufacture any goods in 2011, 2012.

**Interrogatory No. 8:**

Identify all market research relating to Applicant's Mark or any product and/or service marketed or proposed to be marketed under Applicant's Mark.

**Response to Interrogatory No. 8:**

We are in intention to use status, We don't have any market research yet.

**Interrogatory No. 9:**

Identify all Persons with whom Applicant has entered or intends to enter into a license, contract or other agreement, including but not limited to coexistence agreements, regarding use of Applicant's Mark.

**Response to Interrogatory No. 9:**

We are in intention to use status, We don't have any contract or intends [sic] to enter in a license, or any agreements yet.

A copy of Opposer's First Set of Interrogatories to Applicant are attached hereto as **Exhibit B**. A copy of Applicant's responses to Opposer's First Set of Interrogatories to Applicant are attached hereto as **Exhibit C**.

On April 2, 2013, Opposer served Opposer's First Set of Document Requests on Applicant, including the following requests:

**Document Request No. 2:**

All Documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

**Document Request No. 3:**

All Documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

**Document Request No. 6:**

All Documents concerning: (a) searches performed with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Documents showing the distributors, manufacturers, and retailers with which Applicant does business.

Applicant responded to Opposer's First Set of Document Requests on April 18, 2013, stating that he would produce all requested documents. However, Applicant provided no documents to Opposer, confirming that he had no documents reflecting any preparatory business activities in connection with his purported intent to use Applicant's mark. The lack of such

documents is consistent with Applicant's responses to Opposer's First Set of Interrogatories, in which he states that he has engaged in no relevant business activities or planning beyond his initial Application. A copy of Opposer's First Set Document Requests to Applicant are attached hereto as **Exhibit D**. A copy of Applicant's responses to Opposer's First Set of Document Requests to Applicant are attached hereto as **Exhibit E**.

Applicant's responses to Opposer's First Set of Interrogatories to Applicant and lack of production in response to Opposer's First Set of Document Requests to Applicant further establish that Applicant 1) has engaged in no business activities in connection with Applicant's Mark, 2) has engaged in no business planning with regards to Applicant's Mark, 3) has yet to identify or conceive of products on which he intends to use Applicant's Mark, and 4) has no documents whatsoever that would support his alleged *bona fide* intent to use Applicant's Mark in commerce. Furthermore, Applicant's pleadings and responses have suggested no facts that would explain or outweigh his total lack of documents supporting a *bona fide* intent to use Applicant's Mark.

The Board liberally grants leave to amend pleadings when justice so requires, provided the adverse party would not be unduly prejudiced. Fed. R. Civ. P. 15(a). See *Caron Corp. v. Helena Rubenstein, Inc.*, 193 U.S.P.Q. 113 (TTAB 1976); *Anheuser-Busch, Inc. v. Martinez*, 185 U.S.P.Q. 434 (TTAB 1975). Here, Applicant cannot in good faith claim that he will be prejudiced by Opposer's First Amended Notice of Opposition. Opposer could not possibly have known of Applicant's lack of *bona fide* intent to use Applicant's Mark at the time Opposer filed its Notice of Opposition. However, the lack of any of *bona fide* intent to use Applicant's Mark has now become clear through Applicant's discovery responses.

### **CONCLUSION**

For good reasons given, Opposer requests that the Trademark Trial and Appeal Board grant its motion to Amend its Notice of Opposition to include a Third Claim for Relief, namely, Lack of *Bona Fide* Intent to Use.

Dated: New York, NY  
July 8, 2013

**GREENBERG TRAURIG, LLP**

By: /Daniel I. Schloss/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
*Attorneys for Opposer*



**CERTIFICATE OF SERVICE**

I hereby certify that on July 8, 2013, the foregoing Motion to Amend Opposer's Notice of Opposition was served upon Applicant by delivering same to Applicant via First Class Mail:

YOUNG, RICH C.  
333 WEST GARVEY AVE SUITE 123B  
MONTEREY PARK, CA 91754

/Daniel I. Schloss/

Daniel I. Schloss

# Exhibit A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In re: U.S. Application Serial No. 85477199**



**Mark:**

**Published: July 17, 2012**

-----X

PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

-----X

**FIRST AMENDED NOTICE OF OPPOSITION**

PRL USA Holdings, Inc. ("PRL" or "Opposer"), believing that it will be damaged by the registration of the above-identified trademark, hereby opposes the registration thereof and alleges as follows:

**FACTS**

1. Upon information and belief, Applicant Rich C. Young ("Applicant") is an individual and a United States citizen, residing and/or doing business at 333 Wet Garvey Ave, Suite 123b, Monterey Park, CA 91754.

2. On or about November 19, 2011, Applicant filed Application Serial No. 85477199 (the "Application") with the United States Patent and Trademark Office ("U.S.P.T.O."), pursuant to Section 1(b) of the Lanham Act, 15 U.S.C. §1051(b), to register



(“Applicant’s Mark”) for use on or in connection with the following goods in International Class 25: Shirts.

3. On or about July 17, 2012, Applicant’s Mark was published for opposition in the Official Trademark Gazette.

4. Upon information and belief, Applicant has not yet commenced use in commerce of Applicant’s Mark.

5. PRL is a corporation organized and existing under the laws of the state of Delaware, having a place of business at 550 Seventh Avenue, New York, NY 10018.

6. PRL is engaged in the manufacture, promotion and distribution of premium lifestyle products in apparel, home, accessories and fragrances.

7. For more than forty (40) years, PRL’s reputation and distinctive image have been consistently developed across an expanding number of products and international markets.

8. As a result, PRL has become one of the top ten largest and most successful apparel companies in the United States.

9. PRL has extensively used the following fanciful representation of a polo player



mounted on a horse engaged in playing the sport of polo: (the “Polo Player Symbol”).

10. PRL has also extensively used the trademark POLO to identify and distinguish its goods and services in the marketplace (the “POLO Mark”).

11. The Polo Player Symbol and the POLO Mark have become synonymous with PRL in the marketplace.

12. PRL first began using the Polo Player Symbol and the POLO Mark as early as 1967 in connection with apparel goods. Today, the Polo Player Symbol and the POLO Mark are being used on or in connection with a wide variety goods, including, but not limited to, apparel, footwear, cosmetics, jewelry, and home furnishings.

13. Beginning at least as early as 2007, PRL commenced using one or more of the designs depicted below on or in connection with apparel goods (the “Polo Match Designs”). The designs comprise and incorporate images of polo players mounted on horses actively engaged in playing the sport of polo. The Polo Match Designs capture the essence of the famous Polo Player Symbol and POLO Mark, creating a similar commercial impression.



14. PRL is the owner of numerous valid and subsisting trademark registrations with the U.S.P.T.O., as well as pending applications for the Polo Player Symbol, POLO Mark and Polo Match Designs (collectively referred to as “Opposer’s Marks”) on the Principal Register. Some of the registrations for Opposer’s Marks are incontestable. A syllabus of Opposer’s Marks is attached hereto as **Exhibit 1**.

15. Status and title copies of registrations for Opposer’s Marks are attached hereto as **Exhibit 2**.

16. PRL has extensively used and continues to extensively use American iconography, including the words, “USA” and “America,” in connection with Opposer’s Marks

through its products, marketing, and advertising. PRL has been the official outfitter of Team USA in the 2008, 2010, and 2012 Olympic Games.

17. PRL markets and sells goods bearing Opposer's Marks throughout the world and in the United States from approximately 200 PRL retail stores, as well as most major department and fine retail stores, including Bloomingdale's, Saks, Nordstrom's, Bergdorf Goodman, Macy's, Lord & Taylor, Belk, Dillard's, and Neiman Marcus.

18. PRL also sells its goods on its website located at <[www.ralphlauren.com](http://www.ralphlauren.com)>, and through other online retailers, including, but not limited to, Nordstrom.com, Macys.com and Bloomingdales.com.

19. For over 40 years, PRL has built its brand on quality, integrity, and a wholesome American lifestyle, and PRL's advertisements are specifically designed to evoke these qualities. PRL has made a substantial investment solidifying its wholesome and elegant image in the promotion of its goods that bear Opposer's Marks.

20. In the course of becoming one of the most recognized brands in the United States, PRL has expended significant resources to protect the strength, goodwill and value of Opposer's Marks.

21. PRL has expended significant time, effort, and money in advertising and promoting the goods and services sold under Opposer's Marks in trade publications, magazines of general circulation, television ads, billboards, and the internet, as well as, through sports events sponsorship and authorized retailers.

22. PRL's goods and services marketed under Opposer's Marks have enjoyed widespread and unsolicited media coverage, in print, on television and the Internet. PRL and its founder, Ralph Lauren, have received consistent recognition for the exceptional quality and

design of the goods that bear Opposer's Marks, which has heightened consumer awareness of PRL's goods and their quality.

23. In 2007, PRL celebrated its fortieth anniversary and several of the most widely circulated magazines and newspapers paid homage to Ralph Lauren and his company that they deem to be American icons. For example, an article from the *The New York Times Magazine* on August 27, 2007, emphasizes the lasting impression that PRL's advertising and promotional campaigns have had on the American public, comparing the fame of the Polo Player Symbol to the Walt Disney's trademarks: "[PRL's] logo, a jaunty equestrian with a cocked polo mallet, is almost as recognizable in certain places as the American flag."

24. As a result, Opposer's Marks are famous among the public and the industry as denoting the source of high-quality goods.

**COUNT I**  
**LIKELIHOOD OF CONFUSION**

25. Opposer repeats and realleges the allegations set forth in the preceding paragraphs.

26. Opposer's Marks are famous in the United States and through out the world.

27. PRL commenced use of Opposer's Mark well before Applicant filed the Application and/or commenced use of Applicant's Mark in commerce.

28. Applicant's Mark is similar to one or more of Opposer's Marks in sight, sound, connotation and overall commercial impression.

29. Applicant's Mark incorporates one or more of Opposer's Marks.

30. The goods identified in the Application are identical and/or similar to the goods with which PRL is using Opposer's Marks.

31. The goods identified in the Application are identical or similar and or related to the goods with which Opposer's Marks are registered.

32. Registration of Applicant's Mark is likely to cause confusion, mistake, or deception as to the source of Applicant's goods and is likely to falsely suggest a common association, sponsorship or origin of said goods between Applicant and PRL.

**COUNT II**  
**DILUTION**

33. Opposer repeats and realleges the allegations set forth in the preceding paragraphs.

34. Through PRL's extensive advertisement and promotion and substantial sales, Opposer's Marks have become famous.

35. Any use by Applicant of Applicant's Mark has occurred after Opposer's Marks became famous.

36. Relevant consumers are likely to make an association between Applicant's Mark and Opposer's Marks.

37. Applicant's Mark is likely to impair the distinctiveness of Opposer's Marks.

38. Thus, if Applicant is permitted to register and use Applicant's Mark, it is likely to cause dilution of the distinctive quality of Opposer's Marks, pursuant to Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

**COUNT III**  
**LACK OF *BONA FIDE* INTENT TO USE**

1. Opposer repeats and realleges the allegations set forth in the preceding paragraphs.



2. Upon information and belief, Applicant did not have a *bona fide* intent to use Applicant's Mark in United States commerce on or in connection with the goods he identified in the Application, namely, "Shirts," when he filed the Application on November 19, 2011.

3. The Application is therefore void *ab initio*, pursuant to 15 U.S.C. §1051(b) and the Application should be refused accordingly.

W H E R E F O R E, Opposer prays that, the Board sustain the Opposition and refuse the registration of Applicant's Mark.

Dated: New York, New York  
July 8, 2013

Respectfully submitted,

GREENBERG TRAURIG, LLP

By: / Daniel I. Schloss /  
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Seth E. Kertzer, Esq.  
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New York, New York 10166  
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**CERTIFICATE OF SERVICE**






I hereby certify that on July 8, 2013, the foregoing AMENDED NOTICE OF  
OPPOSITION was served upon Applicant by delivering same to Applicant via First Class Mail:






RICH C. YOUNG  
333 WEST GARVEY AVE., STE 123b  
MONTEREY PARK, CA 91754


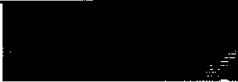



/ Daniel I. Schloss /  
Daniel I. Schloss

## EXHIBIT 1

TRADEMARK	APP/REG DATE	APP/REG NO	GOODS/SERVICES
	February 1, 2011	3,914,529	Clothing, namely, women's shirts, t-shirts, tank tops, pants, hooded sweatshirts, shorts, dresses, leggings and sweatshirts; men's knit shirts; girl's t-shirts, girl's knit shirts and hooded sweatshirts; caps.
	January 16, 2007	3,199,839	Wearing apparel, namely, jackets, sweatshirts, sweat pants, hats, scarves, jerseys, jeans, turtlenecks and bikinis
	April 4, 2006	3,076,806	Shower gel, body moisturizer, personal soap and 2 in 1 shampoo and conditioner.
	July 21, 1987	1,448,580	Towels, sheets, pillow cases, pillow shams, bed skirts, comforters, blankets, comforter and blanket covers, shower curtains, tablecloths, napkins, textile placemats and fabrics for housewares.
	July 6, 2010	3,812,741	A full line of clothing.

TRADEMARK	APP/REG DATE	APP/REG NO	GOODS/SERVICES
	March 16, 2004	2,823,094	Tote bags
	April 15, 1997	2,052,315	Clutches, shoulder bags, cosmetic bags sold empty, tote bags, saddle bags, backpacks, gym bags, duffle bags, travel bags, roll bags, sling bags, grooming kits sold empty, suit bags, tie cases, satchels, pole bags, garment bags for travel, coin purses, drawstring pouches, overnight bags, wallets and key cases
	November 5, 1996	2,013,947	Infants and children's clothing, namely, layettes, cloth bibs, slippers, sleepwear, underwear, rompers, shorts, shirts, coveralls, pants, socks, booties.
	August 5, 1997	2,085,471	Providing information in the field of fashion, fragrance, lifestyle and other topics of general interest by means of a global computer network.
	April 19, 1988	1,485,359	Men's, women's, children's and athletic shoes

TRADEMARK	APP/REG DATE	APP/REG NO	GOODS/SERVICES
	October 12, 1982	1,212,060	Cologne, aftershave, aftershave balm, antiperspirant, toilet soap, toilet water
	July 22, 2008	3,470,318	Knit shirts, rugby shirts not specifically adapted to be worn while playing rugby, jackets.
	January 11, 2011	3,904,897	Knit shirts; Sweaters.
<b>POLO</b>	October 28, 1930	0276855	Collars.
<b>POLO</b>	October 1, 1985	1,363,459	Clothing-namely, suits, slacks, trousers, shorts, wind resistant jackets, jackets blazers, dress shirts, sweat shirts, sweaters, hats, belts, socks, blouses, skirts, coats and dresses
<b>POLO</b>	December 8, 1987	1,468,420	Men's women's and children's athletic shoes
<b>POLO</b>	April 4, 1989	1,532,557	After shave lotion and perfumes
<b>POLO</b>	September 15, 2009	3,684,457	Metal belt buckles not of precious metal.
	October 12, 1982	1,212,059	Cologne, Aftershave, Aftershave Balm, Antiperspirant, Toilet Soap
	June 29, 2010	3,810,821	eau de toilette and after shave.

TRADEMARK	APP/REG DATE	APP/REG NO	GOODS/SERVICES
	October 9, 2007	3,306,101	Clothing, namely, knit shirts, polo shirts, sweaters, shirts, t-shirts, hats, swimwear, pants, jackets, belts, ties, footwear, socks; outerwear, namely, coats, sport coats, raincoats.
	July 8, 1997	2,077,082	Grooming kits sold empty, tie cases, coin purses, drawstring pouches, wallets and key cases.
<b>POLO</b>	July 7, 1987	1,446,173	Frames for prescription and non-prescription lenses and complete sunglasses
<b>POLO RALPH LAUREN</b>	January 5, 2010	3,733,341	Sweaters, shirts, sweatshirts, pants, shorts, jackets, coats, vests, hats, scarves, gloves, belts, ties, underwear, socks, shoes, sneakers, boots. sleepwear, robes, men's suits.
<b>POLO RALPH LAUREN</b>	October 9, 2007	3,305,655	Frames for prescription and non-prescription lenses and complete sunglasses
	November 13, 1990	1,622,635	Men's, women's and children's clothing, namely, pants, scarves, shirts, blouses, jackets, sweaters, skirts, shoes, sleepwear and socks
<b>POLO BEAR BY RALPH LAUREN</b>	December 22, 1992	1,742,330	Sweaters, shirts, t-shirts, fleecewear; namely, sweatshirts, sweatpants and sweatshorts, jackets, scarves, bandanas, hats, swimwear, robes and sleepwear
	October 11, 1988	1,508,314	Men's suits, slacks, ties, sweaters, jackets, coats, shoes, shirts, hats, belts and socks and ladies' blouses, skirts, suits and dresses
	February 5, 1974	978,166	Men's suits, slacks, ties, sweaters, shoes, shirts, hats, belts, socks; and ladies' blouses, skirts, suits and dresses
<b>POLO GOLF</b>	February 11, 2003	2,686,291	Wearing apparel, namely shirts, sweaters, pants, sweatshirts and t-shirts

TRADEMARK	APP/REG DATE	APP/REG NO	GOODS/SERVICES
<b>POLO JEANS CO.</b>	April 1, 1997	2,049,948	Wearing apparel; namely, jeans, t-shirts, knit shirts, sweatshirts, overalls, blouses, skirts, dresses and hats
<b>POLO RALPH LAUREN</b>	November 14, 1995	1,935,665	Infants and children's clothing, namely, layettes, bibs, slippers, sleepwear, underwear, rompers, shorts, shirts, coveralls, pants, socks and booties
<b>POLO SPORT</b>	January 23, 1996	1,951,601	Wearing apparel, namely, pants, shorts, jackets, t-shirts, sport shirts, knit shirts, sweatshirts, hats, socks and footwear
<b>POLO TENNIS</b>	March 7, 2006	3,066,068	Wearing apparel, namely, tennis wear, tennis shoes, shorts, pants, shirts, t-shirts, tank tops, jerseys, body suits, socks, gloves, skirts, jackets, coats, ponchos, swimwear, sweaters, fleece pullovers, sweat suits, jogging suits, rain suits, hats, caps, head bands, wrist bands, slacks, jeans, belts, suspenders, ties, undergarments, scarves, shawls, robes, sleepwear, loungewear and footwear
<b>POLO</b>	July 29, 1997	2,083,276	Providing information in the field of fashion, fragrance, lifestyle and other topics of general interest by means of a global network
<b>POLO BY RALPH LAUREN</b>	August 6, 1974	0990395	Retail clothing store services
<b>POLO COUNTRY STORE</b>	February 4, 1992	1,674,639	Retail clothing store services
<b>POLO SPORT</b>	July 29, 1997	2,083,277	Providing information in the field of fashion, fragrance, lifestyle and other topics of general interest by means of a global computer network
<b>POLO SPORT</b>	June 29, 2004	2,857,837	Handbags
<b>CAMP POLO</b>	June 24, 2008	3,452,078	Retail store services and online retail store services featuring clothing and fashion accessories.

<b>TRADEMARK</b>	<b>APP/REG DATE</b>	<b>APP/REG NO</b>	<b>GOODS/SERVICES</b>
<b>BABY'S FIRST POLO</b>	November 17, 2009	3,711,116	Shirts
<b>POLO BEAR</b>	January 5, 1993	1,745,274	stuffed toys and clothing and accessories for stuffed toys
<b>POLO BLUE</b>	November 11, 2003	2,782,617	Eau de toilette, after shave gel, shower gel, and personal deodorant
<b>POLO BLACK</b>	August 15, 2006	3,130,913	Eau de toilette, after shave splash, after shave gel, shower gel, personal deodorant.
<b>POLO DOUBLE BLACK</b>	August 12, 2008	3,486,443	After shave gel, personal deodorant, hair and body wash
<b>POLO DOUBLE BLACK</b>	August 7, 2007	3,278,057	Eau de toilette and after shave splash
<b>POLO EXPLORER</b>	November 18, 2008	3,534,693	Personal deodorant
<b>POLO EXPLORER</b>	May 13, 2008	3,427,963	Eau de toilette, after shave splash, after shave gel, bath and shower gel.
<b>POLO RALPH LAUREN BLUE</b>	June 17, 2003	2,728,055	Eau de toilette, after shave lotions, personal deodorants and shower gel.
<b>POLO SPORT</b>	October 11, 1994	1,858,094	Toilette water, after shave, shaving balm, skin cream, shaving gel, body soap, face moisturizer, deodorants
<b>POLO TRAVEL</b>	October 16, 2001	2,498,029	Travel agency services, namely making reservations and bookings for transportation; travel agency services, namely, making reservations and booking for temporary lodging.
<b>POLO RALPH LAUREN RED WHITE &amp; BLUE</b>	January 4, 2011	3,902,098	Eau de toilette.



## **EXHIBIT 2**

Mark:



US Serial Number: 85094272

Application Filing Date: Jul. 27, 2010

US Registration Number: 3914529

Registration Date: Feb. 01, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 01, 2011

Publication Date: Nov. 18, 2010

### Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a polo player riding a horse all in the color pink.

Color Drawing: Yes

Color(s) Claimed: The color(s) pink is/are claimed as a feature of the mark.

Design Search Code(s): 02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
21.03.04 - Mallets (sports); Mallets, polo; Polo mallets; Lacrosse sticks; Croquet mallets; Mallets, croquet

### Related Properties Information

Claimed Ownership of US: 2823094, 3199839, 3812741 and others

Registrations:

### Goods and Services



For: Clothing, namely, women's shirts, t-shirts, tank tops, pants, hooded sweatshirts, shorts, dresses, leggings and sweatshirts, men's knit shirts, girl's t-shirts, girl's knit shirts and hooded sweatshirts; caps

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2001

Use in Commerce: Mar. 2001

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
 Owner Address: 550 Seventh Avenue  
 New York, NEW YORK 10018  
 UNITED STATES  
 Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

**Attorney of Record**  
 Attorney Name: G. Roxanne Elings Docket Number: 094490.01000  
 Attorney Primary Email Address: [nylmdkt@qtlaw.com](mailto:nylmdkt@qtlaw.com) Attorney Email No Authorized:  
**Correspondent**  
 Correspondent Name/Address: G. ROXANNE ELINGS  
 GREENBERG TRAURIG, LLP  
 200 PARK AVE FL 34  
 NEW YORK, NEW YORK 10166-0005  
 UNITED STATES  
 Phone: 212-801-9200 Fax: 212-801-6400  
 Correspondent e-mail: [nylmdkt@qtlaw.com](mailto:nylmdkt@qtlaw.com) Correspondent e-mail No Authorized:

Domestic Representative: Not Found

### Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2013	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 01, 2011	REGISTERED-PRINCIPAL REGISTER	
Nov. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 16, 2010	PUBLISHED FOR OPPOSITION	
Oct. 12, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Oct. 05, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 05, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Oct. 05, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Oct. 05, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Oct. 05, 2010	EXAMINERS AMENDMENT -WRITTEN	81139
Oct. 05, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Oct. 05, 2010	WITHDRAWN FROM PUB - MANAGING ATTORNEY REQUEST	81139
Sep. 27, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68123
Sep. 27, 2010	ASSIGNED TO LIE	68123
Sep. 17, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 17, 2010	ASSIGNED TO EXAMINER	81139
Jul. 31, 2010	NOTICE OF DESIGN SEARCH CODE MAILED	
Jul. 30, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

Mark:



US Serial Number: 78977703

Application Filing Date: Sep. 08, 2002

US Registration Number: 3199839

Registration Date: Jan. 16, 2007

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jan. 29, 2013

Publication Date: Jan. 06, 2004

Notice of Allowance Date: Mar. 30, 2004

## Mark Information

Mark Visual Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S) LETTER(S) NUMBER(S)

Description of Mark: The mark consists of a polo player symbol in the color of pink.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02.01.02 - Silhouettes of men; Men depicted as shadows or silhouettes of men  
02.01.19 - Strongmen; Men, athletes, strongmen; Golfer; Athletes (men)  
02.01.31 - Men, stylized, including men depicted in caricature form  
02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
21.03.04 - Mallets, croquet; Mallets (sports); Lacrosse sticks; Croquet mallets; Mallets, polo; Polo mallets  
26.11.21 - Rectangles that are completely or partially shaded

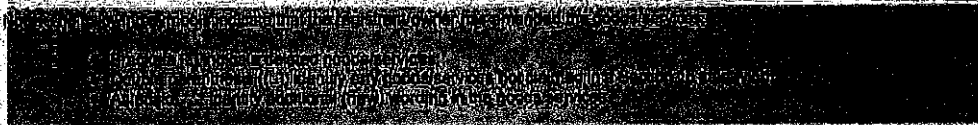
## Related Properties Information

Claimed Ownership of US: 78161405

Registrations:

Child Of: 78161405

## Goods and Services



For: WEARING APPAREL, NAMELY, JACKETS, SWEATSHIRTS, SWEAT PANTS, HATS, SCARVES, JERSEYS, JEANS, TURTLENECKS AND BIKINIS

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 2001

Use in Commerce: Mar. 01, 2001

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

### Current Owner(s) Information

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

## Prosecution History

Date	Description	Preceding Number
Feb. 19, 2013	NOTICE OF SUIT	
Jan. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jan. 29, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Jan. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76533
Jan. 15, 2013	TEAS SECTION 8 & 15 RECEIVED	
Oct. 02, 2012	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 16, 2007	REGISTERED-PRINCIPAL REGISTER	
Dec. 11, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	68171
Dec. 11, 2006	ASSIGNED TO LIE	68171
Nov. 24, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 02, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 01, 2006	STATEMENT OF USE PROCESSING COMPLETE	76569
Sep. 29, 2006	USE AMENDMENT FILED	76569
Nov. 01, 2006	DIVISIONAL PROCESSING COMPLETE	
Oct. 03, 2006	DIVISIONAL REQUEST RECEIVED	
Oct. 03, 2006	PAPER RECEIVED	
Mar. 30, 2006	EXTENSION 4 GRANTED	98765
Mar. 30, 2006	EXTENSION 4 FILED	98765
Mar. 30, 2006	TEAS EXTENSION RECEIVED	

Mark:



US Serial Number: 78650253  
US Registration Number: 3076806  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Apr. 24, 2012  
Publication Date: Jan. 10, 2006  
Application Filing Date: Jun. 14, 2005  
Registration Date: Apr. 04, 2006

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)  
Description of Mark: The mark consists of a polo player riding a horse.  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.02 - Silhouettes of men; Men depicted as shadows or silhouettes of men  
02.09.17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
03.05.01 - Horses  
03.05.24 - Stylized horses, donkeys, zebras  
21.03.04 - Mallets, polo; Mallets, croquet; Mallets (sports); Lacrosse sticks; Croquet mallets; Polo mallets

### Related Properties Information

Claimed Ownership of US Registrations: 1212060, 2052315, 2823094 and others.

### Goods and Services



For: shower gel, body moisturizer, personal soap and 2 in 1 shampoo and conditioner

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2002

Use in Commerce: Sep. 2002

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No      Currently 44D: No      Amended 44D: No  
 Filed 44E: No      Currently 44E: No      Amended 44E: No  
 Filed 66A: No      Currently 66A: No  
 Filed No Basis: No      Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
 Owner Address: 550 Seventh Avenue  
 New York, NEW YORK 10018  
 UNITED STATES  
 Legal Entity Type: CORPORATION      State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney Name: Lisa M. Gigliotti      Docket Number: Ralph Lauren  
 Correspondent: LISA M. GIGLIOTTI  
 Name/Address: L'OREAL USA CREATIVE, INC.  
 575 Fifth Avenue, 34th Floor  
 NEW YORK, NEW YORK 10017  
 UNITED STATES

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2013	NOTICE OF SUIT	
Oct. 02, 2012	NOTICE OF SUIT	
Apr. 24, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Apr. 24, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Apr. 24, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Apr. 10, 2012	TEAS SECTION 8 & 15 RECEIVED	
Apr. 10, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Apr. 04, 2006	REGISTERED-PRINCIPAL REGISTER	
Jan. 10, 2006	PUBLISHED FOR OPPOSITION	
Dec. 21, 2005	NOTICE OF PUBLICATION	
Nov. 23, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	65864
Nov. 18, 2005	ASSIGNED TO LIE	65864
Nov. 14, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 07, 2005	AMENDMENT FROM APPLICANT ENTERED	67215
Oct. 24, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Oct. 24, 2005	PAPER RECEIVED	
Jul. 14, 2005	NON-FINAL ACTION MAILED	
Jul. 14, 2005	NON-FINAL ACTION WRITTEN	80810
Jul. 12, 2005	ASSIGNED TO EXAMINER	80810
Jun. 20, 2005	NEW APPLICATION ENTERED IN TRAM	

### Maintenance Filings or Post Registration Information

Affidavit of Continued: Section 8 - Accepted

Mark:



US Serial Number: 73633688  
US Registration Number: 1448580  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Aug. 30, 2007  
Publication Date: Apr. 28, 1987

Application Filing Date: Dec. 04, 1986  
Registration Date: Jul. 21, 1987

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02.09.17 - Riding animals; humans; Humans, including men, women and children, depicted riding horses and other animals  
02.09.19 - Humans, including men, women and children, depicted playing games or engaged in other sports; Diving, humans; Playing games or sports; humans  
21.03.04 - Croquet mallets; Mallets, croquet; Mallets (sports); Lacrosse sticks; Polo mallets; Mallets, polo

### Related Properties Information

Claimed Ownership of US Registrations: 1053873, 1363540, 1364971 and others

### Goods and Services

For: TOWELS, SHEETS, PILLOW CASES, PILLOW SHAMS, BED SKIRTS, COMFORTERS, BLANKETS, COMFORTER AND BLANKET COVERS, SHOWER CURTAINS, TABLECLOTHS, NAPKINS, TEXTILE PLACEMATS AND FABRICS FOR HOUSEWARES

International Class(es): 024 - Primary Class

U.S. Class(es): 042

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 1983

Use in Commerce: Oct. 01, 1983

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc



Mark:



US Serial Number: 77716387

Application Filing Date: Apr. 17, 2009

US Registration Number: 3812741

Registration Date: Jul. 06, 2010

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 06, 2010

Publication Date: Apr. 20, 2010

### Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the figure of a person mounted on a horse holding a polo mallet in the right hand extended above the person's head.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02.01.18 - Strongmen; Men, athletes, strongmen; Golfer; Athletes (men)  
02.09.17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
03.05.01 - Horses  
03.05.24 - Stylized horses, donkeys, zebras  
21.03.04 - Mallets, polo; Mallets, croquet; Mallets (sports); Lacrosse sticks; Croquet mallets; Polo mallets

### Related Properties Information

Claimed Ownership of US: 2013947, 3199839, 3306101

Registrations:

### Goods and Services

For: A full line of clothing

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1976

Use in Commerce: Dec. 1976

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
 Owner Address: 550 Seventh Avenue  
 New York, NEW YORK 10018  
 UNITED STATES  
 Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

**Attorney of Record**  
 Attorney Name: G. Roxanne Elings  
 Attorney Primary Email Address: NYTMDKT@qllaw.com  
 Attorney Email Authorized: No  
**Correspondent**  
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 GREENBERG TRAURIG, LLP  
 200 PARK AVE FL 14  
 NEW YORK, NEW YORK 10166-1400  
 UNITED STATES  
 Phone: 212.801.9200 Fax: 212.801.8400  
 Correspondent e-mail: NYTMDKT@qllaw.com  
 Correspondent e-mail Authorized: No

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2013	NOTICE OF SUIT	
Oct. 02, 2012	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 06, 2010	REGISTERED-PRINCIPAL REGISTER	
Apr. 20, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 20, 2010	PUBLISHED FOR OPPOSITION	
Mar. 17, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 14, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 12, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 12, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 12, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 23, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 23, 2010	NON-FINAL ACTION E-MAILED	6325
Feb. 23, 2010	NON-FINAL ACTION WRITTEN	74306
Feb. 05, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jan. 29, 2010	WITHDRAWN FROM PUB - OG REVIEW QUERY	61844
Jan. 15, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Jan. 14, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 14, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Jan. 14, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884

Mark:



US Serial Number: 78160200  
US Registration Number: 2823084  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Mar. 27, 2010  
Publication Date: Dec. 23, 2003  
Application Filing Date: Sep. 03, 2002  
Registration Date: Mar. 16, 2004

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/LETTER(S)/NUMBER(S)  
Description of Mark: The mark consists of a polo player symbol in the color of pink.  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.31 - Men, stylized, including men depicted in caricature form  
02.08.17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
02.09.19 - Playing games or sports, humans; Humans, including men, women and children, depicted playing games or engaged in other sports; Diving, humans  
21.03.04 - Croquet mallets; Mallets (sports); Lacrosse sticks; Polo mallets; Mallets, polo; Mallets, croquet  
26.11.21 - Rectangles that are completely or partially shaded

### Goods and Services

For: TOTE BAGS  
International Class(es): 018 - Primary Class  
U.S. Class(es): 001, 002, 003, 022, 041  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Sep. 01, 2000  
Use in Commerce: Sep. 01, 2000  
For: WEARING APPAREL, NAMELY, SWEATERS AND T-SHIRTS  
International Class(es): 025 - Primary Class  
U.S. Class(es): 022, 039  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Sep. 01, 2000  
Use in Commerce: Sep. 01, 2000

### Basis Information (Case Level)

Filed Use: Yes  
Currently Use: Yes  
Amended Use: No

Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
 Owner Address: 550 Seventh Avenue  
 New York, NEW YORK 10018  
 UNITED STATES  
 Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney Name: G. ROXANNE ELINGS  
 Attorney of Record  
 Correspondent  
 Correspondent Name/Address: G. ROXANNE ELINGS  
 GREENBERG TRAURIG LLP  
 200 PARK AVE  
 NEW YORK, NEW YORK 10166  
 UNITED STATES  
 Phone: 212-801-9200 Fax: 212-801-6400

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2013	NOTICE OF SUIT	
Oct. 02, 2012	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 27, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	71378
Mar. 26, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	71378
Mar. 11, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 16, 2004	REGISTERED-PRINCIPAL REGISTER	
Jan. 29, 2004	PAPER RECEIVED	
Jan. 20, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 23, 2003	PUBLISHED FOR OPPOSITION	
Dec. 03, 2003	NOTICE OF PUBLICATION	
Oct. 15, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 14, 2003	ASSIGNED TO EXAMINER	73706
Feb. 27, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 08, 2003	CASE FILE IN TIGRS	
Feb. 27, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 22, 2003	NON-FINAL ACTION E-MAILED	
Jan. 22, 2003	ASSIGNED TO EXAMINER	74786

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Use: Section 15 - Accepted

Mark:



US Serial Number: 75057170  
US Registration Number: 2052315  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: May 24, 2007  
Publication Date: Jan. 21, 1997

Application Filing Date: Feb. 13, 1996  
Registration Date: Apr. 15, 1997

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/ LETTER(S)/NUMBER(S)  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.19 - Athletes (men); Golfer; Men, athletes, strongmen; Strongmen  
02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
02.09.19 - Diving, humans; Humans, including men, women and children, depicted playing games or engaged in other sports; Playing games or sports, humans

### Related Properties Information

Claimed Ownership of US: 1378247, 1485359, 1512754 and others  
Registrations:

### Goods and Services

For: clutches, shoulder bags, cosmetic bags sold empty, tote bags, saddle bags, backpacks, gym bags, duffle bags, travel bags, roll bags, sling bags, grooming kits sold empty, suit bags, life cases, satchels, pole bags, garment bags for travel, coin purses, drawstring pouches, overnight bags, wallets and key cases

International Class(es): 018 - Primary Class

U.S. Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 30, 1975

Use in Commerce: Dec. 30, 1975

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record  
Attorney Name: G. Roxanne Elings Docket Number: 094490,01000  
Attorney Primary Email Address: [elingsr@qtlaw.com](mailto:elingsr@qtlaw.com) Attorney Email Yes  
Authorized:  
Correspondent  
Correspondent Name/Address: G. Roxanne Elings  
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New York, NEW YORK 10166  
UNITED STATES  
Phone: (212) 801-9200 Fax: (212) 801-6400  
Correspondent e-mail: [elingsr@qtlaw.com](mailto:elingsr@qtlaw.com) Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2013	NOTICE OF SUIT	
Oct. 02, 2012	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 06, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
May 24, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69934
May 24, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 15, 2007	ASSIGNED TO PARALEGAL	69934
Apr. 13, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 13, 2007	TEAS SECTION 8 & 9 RECEIVED	
Dec. 14, 2006	CASE FILE IN TIGRS	
Jul. 19, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 11, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Apr. 11, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 11, 2003	TEAS SECTION 8 & 15 RECEIVED	
Apr. 15, 1997	REGISTERED-PRINCIPAL REGISTER	
Jan. 21, 1997	PUBLISHED FOR OPPOSITION	
Dec. 20, 1996	NOTICE OF PUBLICATION	
Oct. 31, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 31, 1996	ASSIGNED TO EXAMINER	59228
Sep. 17, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 27, 1996	NON-FINAL ACTION MAILED	
Jun. 20, 1996	ASSIGNED TO EXAMINER	72616

## Maintenance Filings or Post Registration Information

Mark:



US Serial Number: 75042406  
US Registration Number: 2013947

Application Filing Date: Jan. 05, 1996  
Registration Date: Nov. 05, 1996

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jan. 18, 2007

Publication Date: Aug. 13, 1998

### Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02.01.02 - Silhouettes of men; Men depicted as shadows or silhouettes of men  
02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
21.03.04 - Polo mallets; Mallets; croquet; Mallets (sports); Lacrosse sticks; Croquet mallets; Mallets, polo

### Related Properties Information

Claimed Ownership of US Registrations: 1050722, 1448580, 1485359 and others

### Goods and Services



For: infants and childrens clothing, namely, layettes, cloth bibs, slippers, sleepwear, underwear, rompers, shorts, shirts, coveralls, pants, socks, booties

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 06, 1994

Use In Commerce: Dec. 06, 1994

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 86A: No

Currently 86A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: G. Roxanne Ellings  
Attorney Primary Email: [ellingsr@qtlaw.com](mailto:ellingsr@qtlaw.com)  
Address:

Attorney Email Yes  
Authorized:

### Correspondent

Correspondent Name/Address: G. Roxanne Ellings  
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NEW YORK, NEW YORK 10166  
UNITED STATES

Phone: 212/801.9200

Fax: 212/801.6400

Correspondent e-mail: [ellingsr@qtlaw.com](mailto:ellingsr@qtlaw.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Processing Number
Feb. 19, 2013	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Dec. 04, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Nov. 11, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 18, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68335
Jan. 18, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 05, 2007	ASSIGNED TO PARALEGAL	68335
Oct. 31, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 08, 2006	REVIEW OF CORRESPONDENCE COMPLETE	68973
Oct. 31, 2006	TEAS SECTION 8 & 9 RECEIVED	
Oct. 30, 2006	PAPER RECEIVED	
Sep. 22, 2006	CASE FILE IN TIGRS	
Jan. 13, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK	
Nov. 05, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 05, 2002	PAPER RECEIVED	
Nov. 05, 1996	REGISTERED-PRINCIPAL REGISTER	
Aug. 13, 1996	PUBLISHED FOR OPPOSITION	
Jul. 12, 1996	NOTICE OF PUBLICATION	
Jun. 10, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 30, 1996	EXAMINER'S AMENDMENT MAILED	
May 24, 1996	ASSIGNED TO EXAMINER	62126
May 22, 1996	ASSIGNED TO EXAMINER	72514

## Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Use: Section 15 - Accepted



Mark:



US Serial Number: 75060280  
US Registration Number: 2085471

Application Filing Date: Feb. 20, 1996  
Registration Date: Aug. 05, 1997

Register: Principal  
Mark Type: Service Mark  
Status: The registration has been renewed.  
Status Date: Oct. 27, 2007  
Publication Date: May 13, 1997

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.02 - Silhouettes of men; Men depicted as shadows or silhouettes of men  
02.00.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals; humans  
21.03.04 - Polo mallets; Mallets; croquet mallets (sports); Lacrosse sticks; Croquet mallets; Mallets; polo

### Related Properties Information

Claimed Ownership of US Registrations: 1354971, 1364971

### Goods and Services



For: providing information in the field of fashion, fragrance, lifestyle and other topics of general interest by means of a global computer network

International Class(es): 042 - Primary Class

U.S. Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 1995

Use in Commerce: Nov. 01, 1995

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 56A: No	Currently 56A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

#### Attorney of Record

Attorney Name: G. Roxanne Elings

Docket Number: 084490,01000

Attorney Primary Email: [elingsr@qtlaw.com](mailto:elingsr@qtlaw.com)  
Address:

Attorney Email Yes  
Authorized:

#### Correspondent

Correspondent Name/Address: G. Roxanne Elings  
Greenberg Traurig, LLP  
200 Park Avenue  
NEW YORK, NEW YORK 10166  
UNITED STATES

Phone: 212.801.9200

Fax: 212.801.6400

Correspondent e-mail: [elingsr@qtlaw.com](mailto:elingsr@qtlaw.com)

Correspondent e-mail Yes  
Authorized:

### Prosecution History

Date	Description	Processing Number
Feb. 19, 2013	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 21, 2008	NOTICE OF DESIGN SEARCH CODE MAILED	
Oct. 27, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74886
Oct. 27, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 27, 2007	ASSIGNED TO PARALEGAL	74886
Jul. 18, 2007	TEAS SECTION 8 & 9 RECEIVED	
Mar. 08, 2007	CASE FILE IN TIGRS	
Nov. 08, 2006	REVIEW OF CORRESPONDENCE COMPLETE	68973
Oct. 30, 2006	PAPER RECEIVED	
Oct. 09, 2003	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 01, 2003	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 31, 2003	TEAS SECTION 8 & 15 RECEIVED	
Aug. 05, 1997	REGISTERED-PRINCIPAL REGISTER	
May 13, 1997	PUBLISHED FOR OPPOSITION	
Apr. 11, 1997	NOTICE OF PUBLICATION	
Mar. 05, 1997	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 05, 1997	ASSIGNED TO EXAMINER	59228
Feb. 03, 1997	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 12, 1996	FINAL REFUSAL MAILED	
Nov. 08, 1996	ASSIGNED TO EXAMINER	59228
Sep. 17, 1996	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 08, 1996	NON-FINAL ACTION MAILED	
Jun. 28, 1996	ASSIGNED TO EXAMINER	72616
Jun. 26, 1996	ASSIGNED TO EXAMINER	73354

Mark:



US Serial Number: 73678457  
Application Filing Date: Aug. 03, 1987  
US Registration Number: 1485359  
Registration Date: Apr. 19, 1988  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Apr. 04, 2008  
Publication Date: Jan. 26, 1988

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/LETTER(S)/NUMBER(S)  
Color(s) Claimed: Color is not claimed as a feature of the mark  
Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02.01.19 - Strongmen; Men, athletes, strongmen; Goller; Athletes (men)  
02.09.17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
02.09.19 - Humans, including men, women and children, depicted playing games or engaged in other sports; Playing games or sports, humans; Diving, humans  
21.03.04 - Mallets (sports); Lacrosse sticks; Croquet mallets; Mallets, croquet; Mallets, polo; Polo mallets

### Related Properties Information

Claimed Ownership of US Registrations: 0984005 and others

### Goods and Services



For: MENS', WOMENS', CHILDRENS' AND ATHLETIC SHOES

International Class(es): 025 - Primary Class

U.S. Class(es): 039

Class Status: ACTIVE

Base(s): 1(e)

First Use: 1977

Use in Commerce: 1977

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Mark:



US Serial Number: 73172604  
US Registration Number: 1212080

Application Filing Date: Jun. 01, 1978  
Registration Date: Oct. 12, 1982

Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Dec. 31, 2011  
Publication Date: Jan. 13, 1981

### Mark Information

Mark Literal Elements: None  
Standard Character Claim: No  
Mark Drawing Type: 2- AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.19 - Strongmen; Men, athletes, strongmen; Golfer; Athletes (men)  
02.09.17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
02.09.19 - Humans, including men, women and children, depicted playing games or engaged in other sports; Playing games or sports, humans; Diving, humans  
21.03.04 - Mallets (sports); Lacrosse sticks; Croquet mallets; Mallets, croquet; Mallets, polo; Polo mallets

### Goods and Services



For: Cologne, Aftershave, Aftershave Balm, Antiperspirant, [Toilet Soap], [Talcum Powder], Toilet Water, [Body Lotion; Bath Oil, Body Powder and Perfume]  
International Class(es): 003 - Primary Class  
U.S. Class(es): 001, 004, 006, 050, 051, 052  
Class Status: ACTIVE

Basis: 1(a)  
First Use: Feb. 06, 1978  
Use in Commerce: Feb. 06, 1978

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Mark:



US Serial Number: 77154087

Application Filing Date: Apr. 11, 2007

US Registration Number: 3470318

Registration Date: Jul. 22, 2008

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 22, 2008

Publication Date: May 06, 2008

## Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men;  
02.03.31 - Men, stylized, including men depicted in caricature form;  
02.07.01 - Groups, males;  
02.09.17 - Riding animals; humans; Humans, including men, women and children, depicted riding horses and other animals;  
02.09.19 - Humans, including men, women and children, depicted playing games or engaged in other sports; Playing games or sports, humans, diving, humans;  
03.05.01 - Horses;  
03.05.24 - Stylized horses; donkeys, zebras;  
21.03.04 - Mallets, polo; Mallets, croquet; Mallets (sports); Lacrosse sticks; Croquet mallets; Polo mallets

## Goods and Services

For: Knit shirts, rugby shirts not specifically adapted to be worn while playing rugby, jackets

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 2007

Use in Commerce: Jan. 2007

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRC USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

**Attorney of Record**  
Attorney Name: G, Roxanne Elings  
Docket Number: 094490,01000  
Attorney Primary Email Address: elingsr@qtlaw.com  
Attorney Email No Authorized:  
**Correspondent**  
Correspondent Name/Address: G, ROXANNE ELINGS  
GREENBERG TRAURIG, LLP  
200 PARK AVE FL 14  
NEW YORK, NEW YORK 10168-1400  
UNITED STATES  
Phone: 212.801.9200  
Fax: 212.801.6400  
Correspondent e-mail: elingsr@qtlaw.com  
Correspondent e-mail No Authorized:  
**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
Feb. 19, 2013	NOTICE OF SUIT	
Oct. 02, 2012	NOTICE OF SUIT	
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jul. 22, 2008	REGISTERED-PRINCIPAL REGISTER	
May 06, 2008	PUBLISHED FOR OPPOSITION	
Apr. 16, 2008	NOTICE OF PUBLICATION	
Mar. 28, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Mar. 28, 2008	ASSIGNED TO LIE	78145
Mar. 17, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 22, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 22, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 22, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 21, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 21, 2008	NON-FINAL ACTION E-MAILED	6325
Feb. 21, 2008	NON-FINAL ACTION WRITTEN	81875
Jan. 28, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 28, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 28, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 27, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2007	NON-FINAL ACTION E-MAILED	6325
Jul. 27, 2007	NON-FINAL ACTION WRITTEN	81875
Jul. 16, 2007	ASSIGNED TO EXAMINER	81875
Apr. 17, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 16, 2007	NEW APPLICATION ENTERED IN TRAM	

### TM Staff and Location Information

Generated on: This page was generated by TSDR on 2013-07-02 10:12:37 EDT

Mark:



US Serial Number: 77670397

Application Filing Date: Feb. 13, 2009

US Registration Number: 3904897

Registration Date: Jan. 11, 2011

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 11, 2011

Publication Date: Jan. 05, 2010

Notice of Allowance Date: Mar. 30, 2010

## Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORD(S)/LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of two horses with two riders galloping side-by-side.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02.01.19 - Men, athletes, strongmen; Golfer; Athletes (men); Strongmen  
02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women  
02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
03.05.01 - Horses

## Goods and Services



For: Knit shirts; Sweaters

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 25, 2008

Use in Commerce: Jun. 25, 2008

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Generated on: This page was generated by TSDR on 2013-07-02 10:13:35 EDT

Mark: POLO

US Serial Number: 71301815  
US Registration Number: 276855

Application Filing Date: May 31, 1930

Registration Date: Oct. 28, 1930

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Oct. 14, 2010

## Mark Information

Mark Literal Elements: POLO

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

## Related Properties Information

Publish Previously: Yes

Registered Mark:

Previously Registered: Sep. 05, 1967

Mark Publication Date:

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate related goods/services.
- Double parentheses (( )) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \* identify additional (new) wording in the goods/services.

For: COLLARS

International Class(es): 025

U.S. Class(es): 039 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 16, 1913

Use In Commerce: Apr. 16, 1913

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE



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Mark: POLO

US Serial Number: 73333206

Application Filing Date: Oct. 19, 1981

US Registration Number: 1363459

Registration Date: Oct. 01, 1985

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 25, 2005

Publication Date: Nov. 15, 1983

### Mark Information

Mark Literal Elements: POLO

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

Acquired Distinctiveness: In whole  
Claim:

### Related Properties Information

Claimed Ownership of US: 02758550, 09781660, 09903950 and others  
Registrations:

### Goods and Services

For: Clothing-Namely: Suits, Slacks, Trousers, Shorts, Wind Resistant Jackets, Jackets, Blazers, Dress Shirts, Sweatshirts, Sweaters, Flats, Belts, Socks, Blouses, Skirts, Coats, and Dresses

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1967

Use in Commerce: May 1967

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 56A: No

Currently 56A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Generated on: This page was generated by TSDR on 2013-07-02 10:16:26 EDT

Mark: POLO

US Serial Number: 73655027  
US Registration Number: 1468420

Application Filing Date: Apr. 13, 1987

Registration Date: Dec. 08, 1987

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 21, 2007

Publication Date: Sep. 15, 1987

### Mark Information

Mark Literal Elements: POLO

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

### Related Properties Information

Claimed Ownership of US 0978186 and others  
Registrations:

### Goods and Services

Note: The following symbol(s) has/have been amended (the goods/services):

- Brackets ( )
  - Double parentheses ( ( ) )
  - Asterisk ( \* )
- has not claimed in a Section 15 affidavit (a) in the goods/services.

For: MEN'S, WOMEN'S, CHILDREN'S AND ATHLETIC SHOES

International Class(es): 025 - Primary Class

U.S. Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: 1971

Use in Commerce: 1971

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 68A: No	Currently 68A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

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Mark: POLO

US Serial Number: 73716257  
US Registration Number: 1532557

Application Filing Date: Mar. 14, 1988

Registration Date: Apr. 04, 1989

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 15, 2009

Publication Date: Jan. 10, 1989

### Mark Information

Mark Literal Elements: POLO

Standard Character Claim: No

Mark Drawing Type: 1. TYPESET WORD(S) / LETTER(S) / NUMBER(S)

### Related Properties Information

Claimed Ownership of US Registrations: 1212059, 1212060

### Goods and Services

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For: [NON-MEDICATED TOILET PREPARATIONS, NAMELY, [BATH SALTS, TALCUM POWDER, [FACE POWDER, [FACE CREAM, [SCALP STIMULATING PREPARATIONS, [AND] LOTIONS FOR USE AFTER SHAVING, [COSMETIC PREPARATIONS, NAMELY, LIPSTICK, BRILLIANTINE, HAIR LOTION, SHAMPOOS, DENTIFRICES, [SOAPS, [PERFUMES, [AND ESSENTIAL OILS]

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 062

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 19, 1974

Use In Commerce: Jul. 19, 1974

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE

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Mark: POLO

POLO

US Serial Number: 78528483  
US Registration Number: 3684457

Application Filing Date: Dec. 07, 2004  
Registration Date: Sep. 15, 2009

Registrar: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 15, 2009

Publication Date: Oct. 25, 2005

Notice of Allowance Date: Jan. 17, 2006

### Mark Information

Mark Literal Elements: POLO

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Related Properties Information

Claimed Ownership of US 0978166, 1363459, 1955248  
Registrations:

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- \* Brackets ( ) indicate deleted goods/services.
- \* Double parenthesis ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit.
- \* Asterisks \* identify additional (new) wording in the goods/services.

For: Metal belt buckles not of precious metal

International Class(es): 026 - Primary Class

U.S. Class(es): 037, 039, 040, 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 1989

Use in Commerce: Jul. 1989

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 86A: No	Currently 86A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

Mark: POLO RALPH LAUREN



US Serial Number: 73172600

Application Filing Date: Jun. 01, 1978

US Registration Number: 1212059

Registration Date: Oct. 12, 1982

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 17, 2012

Publication Date: Jan. 13, 1981

### Mark Information

Mark Literal Elements: POLO RALPH LAUREN

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) IN STYLIZED FORM

Color(s) Claimed: Color is not claimed as a feature of the mark.

Name Portrait Consent: "Ralph Lauren" is a living individual whose consent is of record.

### Related Properties Information

Claimed Ownership of US Registrations: 10213680

### Goods and Services

For: Cologne, Aftershave, Aftershave Balm, Antiperspirant [ Toilet Soap and Talcum Powder ]

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 08, 1978

Use in Commerce: Feb. 08, 1978

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

Mark: POLO RALPH LAUREN



US Serial Number: 77883516  
US Registration Number: 3810821  
Register: Principal  
Mark Type: Trademark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Jun 29, 2010  
Publication Date: Apr 13, 2010

### Mark Information

Mark Literal Elements: POLO RALPH LAUREN  
Standard Character Claim: No  
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)  
Description of Mark: The mark consists of a polo player riding a horse and the words "POLO RALPH LAUREN".  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02.09.17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
02.09.19 - Humans, including men, women and children, depicted playing games or engaged in other sports; Diving, humans; Playing games or sports, humans  
21.03.04 - Croquet mallets; Mallets, croquet; Mallets (sports); Lacrosse sticks; Polo mallets; Mallets, polo  
Name Portrait Consent: The name "Ralph Lauren" identifies a living individual whose consent is of record.

### Related Properties Information

Claimed Ownership of US Registrations: 1222278, 1532557, 3076806 and others

### Goods and Services



For: eau de toilette and after shave

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: 1993

Use In Commerce: 1993

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

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Mark: POLO RALPH LAUREN

POLO RALPH LAUREN

US Serial Number: 77090713  
US Registration Number: 3308101  
Register: Principal  
Mark Type: Trademark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Oct. 09, 2007  
Publication Date: July 24, 2007  
Application Filing Date: Jan. 25, 2007  
Registration Date: Oct. 09, 2007

### Mark Information

Mark Literal Elements: POLO RALPH LAUREN  
Standard Character Claim: No  
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)  
Color(s) Claimed: Color is not claimed as a feature of the mark.  
Design Search Code(s): 02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
21.03.04 - Mallets (sports); Mallets, polo; Polo mallets; Lacrosse sticks; Croquet mallets; Mallets, croquet  
Name Portrait Consent: The name RALPH LAUREN identifies a living individual whose consent is of record.

### Related Properties Information

Claimed Ownership of US Registrations: 1622636, 1935865, 3199839

### Goods and Services

For: Clothing, namely, knit shirts, polo shirts, sweaters, shirts, t-shirts, hats, swimwear, pants, jackets, belts, ties, footwear, socks, outerwear, namely, coats, sport coats, raincoats

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1967

Use in Commerce: Dec. 1967

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

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Mark: POLO RALPH LAUREN



US Serial Number: 75057171

Application Filing Date: Feb. 13, 1996

US Registration Number: 2077082

Registration Date: Jul. 08, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 13, 2007

Publication Date: Apr. 15, 1997

## Mark Information

Mark Literal Elements: POLO RALPH LAUREN

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 02/01/02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02/09/17 - Riding animals, humans; Humans, including men, women and children, depicted riding horses and other animals  
02/09/19 - Humans, including men, women and children, depicted playing games or engaged in other sports; Diving, humans; Playing games or sports, humans  
21/03/04 - Croquet mallets; Mallets, croquet; Mallets (sports); Lacrosse sticks; Polo mallets; Mallets, polo

Name Portrait Consent: The name "RALPH LAUREN" identifies a living individual whose consent is of record.

## Related Properties Information

Claimed Ownership of US Registrations: 1087698, 1649559, 1674639, 1815515, 1835393, 1914205 and others

## Goods and Services

Notwithstanding to whom the goods and services may be sold, the following goods and services are those for which the mark is used in commerce:

Backpacks, shoulder bags, cosmetic bags sold empty, tote bags, saddle bags, backpacks, gym bags, duffel bags, travel bags, roll bags, sling bags, grooming kits sold empty, [suit bags,] tie cases, [satchels, garment bags for travel,] coin purses, drawstring pouches, [overnight bags,] wallets and key cases

International Class(es): 018 - Primary Class

U.S. Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 30, 1975

Use in Commerce: Dec. 30, 1975

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE



Mark: POLO

US Serial Number: 73630297

Application Filing Date: Nov. 14, 1986

US Registration Number: 1446173

Registration Date: Jul. 07, 1987

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 17, 2007

Publication Date: Apr. 14, 1987

### Mark Information

Mark Literal Elements: POLO

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S)/LETTER(S)/NUMBER(S)

### Related Properties Information

Claimed Ownership of US 1057453

Registrations:

### Goods and Services

For: FRAMES FOR PRESCRIPTION AND NON-PRESCRIPTION LENSES AND COMPLETE SUNGLASSES

International Class(es): 009 - Primary Class

U.S. Class(es): 026

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1972

Use in Commerce: Sep. 1972

### Basis Information (Case Level)

Filed 1(a): Yes

Currently 1(a): Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 44F: No

Currently 44F: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

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Mark: POLO RALPH LAUREN

POLO RALPH LAUREN

US Serial Number: 77007019

Application Filing Date: Nov. 04, 2008

US Registration Number: 3733341

Registration Date: Jan. 05, 2010

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 05, 2010

Publication Date: Oct. 20, 2009

### Mark Information

Mark Literal Elements: POLO RALPH LAUREN

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies "RALPH LAUREN", whose consent(s) to register is made of record.

### Related Properties Information

Claimed Ownership of US: 1508314, 1935665, 3306101

Registrations:

### Goods and Services

For: Sweaters, shirts, sweatshirts, pants, shorts, jackets, coats, vests, hats, scarves, gloves, belts, ties, underwear, socks, shoes, sneakers, boots, sleepwear, robes, men's suits.

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1987

Use in Commerce: Dec. 1987

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 86A: No

Currently 86A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

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Mark: POLO RALPH LAUREN

POLO RALPH LAUREN

US Serial Number: 77062524

Application Filing Date: Dec. 12, 2006

US Registration Number: 3305655

Registration Date: Oct. 09, 2007

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 09, 2007

Publication Date: Jul. 24, 2007

## Mark Information

Mark Literal Elements: POLO RALPH LAUREN

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Name Portrait Consent: The name RALPH LAUREN identifies a living individual whose consent is of record.

## Related Properties Information

Claimed Ownership of US 1053873, 1057453, 1447282 and others

Registrations:

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ([]) indicate deleted goods/services.
- Double parentheses (( )) identify any goods/services not claimed in a Section 15 affidavit.
- Asterisks (\*) identify additional (new) wording in the goods/services.

For: Frames for prescription and non-prescription lenses, and complete sunglasses

International Class(es): 009 - Primary Class

U.S. Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 1978

Use in Commerce: Dec. 1978

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: G. Roxanne Ellings

Docket Number: 094490 01000

Mark: POLO PRLC



US Serial Number: 73832438

Application Filing Date: Oct. 10, 1989

US Registration Number: 1822835

Registration Date: Nov. 13, 1990

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 05, 2010

Publication Date: Aug. 21, 1990

### Mark Information

Mark Literal Elements: POLO PRLC

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)

Description of Mark: THE MARK CONSISTS IN PART OF THE STYLIZED LETTERS "PRLC"

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 21.03.25 - Archery arm guards; Vaulting horses; gymnastic; Badminton shuttlecocks (birdies); Bags, punching; Balance beams (gymnastic); Basketball backboards; Basketball hoops; Batons; twirling; Billiard cue sticks; Boxing bags; Catcher's mask; Cues, billiard; Decoys, hunting; Diving boards; Face masks (sports); Face Masks, catcher's; Goal posts, football; Gym bars (jungle gyms; monkey bars); Gymnastic apparatus; Handgrips, exercise; Hockey pucks; Horse apparatus (gymnastic); Masks, athletic; Masks, catcher's; Masks, fencing; Masks, scuba; Pads, protection (athletic); Parallel bars; Playground equipment; Pool cues; Pucks; Scuba fins or flippers; Scuba masks; Scuba snorkels; Shuttlecocks; badminton birdies; Supporters, athletic; Swim fins; Swim masks; Tees, kicking; Tennis ball throwers (mechanical device); Tetherball game; Trampolines; Twirling batons; Fins, swim; Athletic supporters

### Related Properties Information

Claimed Ownership of US Registrations: 1363459 and others

### Goods and Services

Note: The following goods and services are claimed in the registration.

For: MEN'S, WOMEN'S AND CHILDREN'S CLOTHING, NAMELY PANTS, SCARVES, SHIRTS, BLOUSES, JACKETS, SWEATERS, SKIRTS, SHOES, SLEEPWEAR AND SOCKS

International Class(es): 025 - Primary Class

U.S. Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 1988

Use in Commerce: Apr. 1988

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record - None  
Correspondent

Correspondent: PRL USA HOLDINGS, INC.  
Name/Address: 103 FOULK ROAD  
WILMINGTON, DELAWARE 19803  
UNITED STATES

Domestic Representative - Not Found

### Prosecution History

Date	Description	Proceeding Number
Mar. 05, 2012	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 05, 2012	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Aug. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 05, 2010	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68502
Nov. 05, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 04, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 05, 2009	CASE FILE IN TIGRS	
Nov. 08, 2006	REVIEW OF CORRESPONDENCE COMPLETE	68973
Oct. 30, 2006	PAPER RECEIVED	
Oct. 10, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Oct. 10, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Apr. 24, 2001	RESPONSE RECEIVED TO POST REG. ACTION - SEC. 8 & 9	
Mar. 27, 2001	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	
Nov. 02, 2000	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 14, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 24, 1996	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 13, 1990	REGISTERED-PRINCIPAL REGISTER	
Aug. 21, 1990	PUBLISHED FOR OPPOSITION	
Jul. 21, 1990	NOTICE OF PUBLICATION	
May 19, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 10, 1990	EXAMINER'S AMENDMENT MAILED	
Apr. 26, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 08, 1990	NON-FINAL ACTION MAILED	
Dec. 04, 1989	ASSIGNED TO EXAMINER	66324
Nov. 22, 1989	ASSIGNED TO EXAMINER	68174

### Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 13, 2010

### TM Staff and Location Information

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Mark: POLO BEAR BY RALPH LAUREN

US Serial Number: 74119121  
US Registration Number: 1742330  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Mar. 19, 2003  
Publication Date: Apr. 21, 1992  
Application Filing Date: Nov. 29, 1990  
Registration Date: Dec. 22, 1992  
Notice of Allowance Date: Jul. 14, 1992

## Mark Information

Mark Literal Elements: POLO BEAR BY RALPH LAUREN  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S)/LETTER(S)/NUMBER(S)  
Name Portrait Consent: "RALPH LAUREN" is a living individual whose consent is of record.

## Related Properties Information

Claimed Ownership of US 0276855, 0978186, 0984055, 1060722, 1067743, 1203658, 1249050, 1363459, 1378247, 1398585, 1455449, 1468416, 1468417, 14  
Registrations: 68420, 1469151, 1469152, 1508314, 1530948 and others

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Bracketed [ ] indicate deleted goods/services.
- Double parentheses (( )) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks (\*) identify additional (new) wording in the goods/services.

For: sweaters, shirts, tee-shirts, fleecewear, namely, sweatshirts, sweatpants and sweatshorts, jackets, scarves, bandanas, hats, swimwear, robes and sleepwear

International Class(es): 025 - Primary Class

U.S. Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 1991

Use in Commerce: Nov. 01, 1991

## Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE

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Mark: POLO BY RALPH LAUREN



US Serial Number: 73710831

Application Filing Date: Feb. 12, 1988

US Registration Number: 1508314

Registration Date: Oct. 11, 1988

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Oct. 20, 2008

Publication Date: July 19, 1988

## Mark Information

Mark Literal Elements: POLO BY RALPH LAUREN

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Lining and Stippling Statement: THE DRAWING IS LINED FOR THE COLORS BLUE AND SILVER.

Design Search Code(s): 09.01.02 - Embroidery; Labels; clothing; Stitching, not on clothing pockets  
26.11.12 - Rectangles with bars, bands and lines  
26.11.20 - Rectangles inside one another  
26.11.21 - Rectangles that are completely or partially shaded

Name Portrait Consent: "RALPH LAUREN" IS THE NAME OF A LIVING INDIVIDUAL WHOSE CONSENT IS OF RECORD.

## Related Properties Information

Claimed Ownership of US: 0978166, 1057453 and others  
Registrations:

## Goods and Services

Note: The following symbols indicate that the goods and services are amended (in goods/services):

- Brackets [ ] indicate amended goods/services
- Double parentheses (( )) indicate goods/services not claimed in a Section 15 affidavit of amended goods/services
- Asterisks \* indicate amended goods/services

For: MEN'S SUITS, SLACKS, TIES, SWEATERS, JACKETS, COATS, SHOES, SHIRTS, HATS [ , BELTS AND SOCKS AND LADIES' BLOUSES, SKIRTS, SUITS AND DRESSES ]

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1967

Use in Commerce: May 1967

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue

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Mark: POLO BY RALPH LAUREN



US Serial Number: 72406019

Application Filing Date: Oct. 26, 1971

US Registration Number: 978166

Registration Date: Feb. 05, 1974

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 13, 2004

## Mark Information

Mark Literal Elements: POLO BY RALPH LAUREN

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

## Goods and Services

For: MEN'S SUITS, SLACKS, TIES, SWEATERS, SHOES, SHIRTS, HATS, BELTS, SOCKS, AND LADIES' BLOUSES, SKIRTS, SUITS AND DRESSES

International Class(es): 025

U.S. Class(es): 039 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1967

Use in Commerce: May 1967

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record - None  
Correspondent

Correspondent Name/Address: G ROXANNE ELINGS  
GREENBERG TRAURIG, LLP  
200 PARK AVE  
NEW YORK, NEW YORK 10166  
UNITED STATES



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Mark: POLO GOLF

POLO GOLF

US Serial Number: 79401536

Application Filing Date: Apr. 29, 2002

US Registration Number: 2886291

Registration Date: Feb. 11, 2003

Registration: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 09, 2013

Publication Date: Nov. 19, 2002

## Mark Information

Mark Literal Elements: POLO GOLF

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

Disclaimer: "GOLF"

## Goods and Services

Note: The following goods and services have been amended the goods/services:

(1) WEARING APPAREL, NAMELY, SHIRTS, SWEATERS, PANTS, [ SWEATSHIRTS AND T-SHIRT ]  
(2) [ ]  
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For: WEARING APPAREL, NAMELY, SHIRTS, SWEATERS, PANTS, [ SWEATSHIRTS AND T-SHIRT ]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Base: 1(a)

First Use: Oct. 1990

Use in Commerce: Oct. 1990

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney Name: Daniel I. Schloss

Attorney Primary Email: NYTMDKT@qtlaw.com  
Address:

Correspondent: Daniel I. Schloss  
Name/Address: GREENBERG TRAURIG, LLP

Attorney of Record

Docket Number: 68440/2375

Attorney Email: Yes  
Authorized:

Correspondent

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Mark: POLO JEANS CO.

US Serial Number: 75000432

Application Filing Date: Oct. 02, 1995

US Registration Number: 2049948

Registration Date: Apr. 01, 1997

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Apr. 30, 2007

Publication Date: May 21, 1996

Notice of Allowance Date: Aug. 13, 1996

## Mark Information

Mark Literal Elements: POLO JEANS CO.

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

Disclaimer: "JEANS CO."

## Related Properties Information

Claimed Ownership of US 0978166, 1630948, 1615515 and others  
Registrations:

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ([]) indicate deleted goods/services.
- Double parentheses (( )) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks (\*) identify additional (new) wording in the goods/services.

For: wearing apparel, namely, jeans, T-shirts, knit shirts, sweatshirts, overalls, blouses, skirts, dresses and hats

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 29, 1996

Use in Commerce: Mar. 29, 1996

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where  
Organized: DELAWARE

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Mark: POLO RALPH LAUREN

US Serial Number: 74618180

Application Filing Date: Jan. 05, 1995

US Registration Number: 1935865

Registration Date: Nov. 14, 1995

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 14, 2006

Publication Date: Aug. 22, 1995

## Mark Information

Mark Literal Elements: POLO RALPH LAUREN

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

Name Portrait Consent: "RALPH LAUREN" is a living individual whose consent is of record.

## Goods and Services

Note: The following symbols, if any, are used in the mark and are not claimed in the goods/services:

- Brackets [ ]
- Double parentheses ( )
- Asterisks \*

For: Infants and childrens clothing, namely layettes, bibs, clippers, sleepwear, underwear, rompers, shorts, shirts, coveralls, pants, socks, booties

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 06, 1980

Use In Commerce: Dec. 06, 1980

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record:

Mark: POLO SPORT

US Serial Number: 74860375

US Registration Number: 1951801

Acquired: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Oct. 14, 2006

Publication Date: Oct. 31, 1995

Application Filing Date: Apr. 12, 1995

Registration Date: Jan. 23, 1996

### Mark Information

Mark Literal Elements: POLO SPORT

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S)/LETTER(S)/NUMBER(S)

Disclaimer: "SPORT"

### Goods and Services

For: wearing apparel, namely pants, shorts, jackets, T-shirts, sport shirts, knit shirts, sweatshirts, hats, socks and footwear

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 1993

Use in Commerce: Sep. 01, 1993

### Basis Information (Case Level)

Filed US: Yes

Currently Used: Yes

Amended US: No

Filed IT: No

Currently IT: No

Amended IT: No

Filed AD: No

Currently AD: No

Amended AD: No

Filed AE: No

Currently AE: No

Amended AE: No

Filed BA: No

Currently BA: No

Filed NO BASIS: No

Currently NO BASIS: No

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: G. ROXANNE ELINGS

Mark: POLO TENNIS

POLO TENNIS

US Serial Number: 78660096  
US Registration Number: 3066088

Application Filing Date: Jun. 28, 2006  
Registration Date: Mar. 07, 2006

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Apr. 05, 2012

Publication Date: Dec. 13, 2005

### Mark Information

Mark Literal Elements: POLO TENNIS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4- STANDARD CHARACTER MARK

Disclaimer: "TENNIS"

### Related Properties Information

Claimed Ownership of US 0276855, 0978166, 1363459, 1468420 and others  
Registrations:

### Goods and Services

For: Wearing apparel, namely, tennis wear, [ tennis shoes ] shorts, pants, shirts, [ shirts, tank tops, [ jerseys, body suits, [ socks, [ gloves, skirts, [ jackets, [ coats, ponchos, swimwear, [ sweaters, fleece pullovers, [ sweat suits, jogging suits, rain suits, hats, [ caps, [ head bands, wrist bands, [ slacks, jeans, [ belts, suspenders, ties, undergarments, scarves, shawls, robes, sleepwear, loungewear and footwear ]

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1996

Use in Commerce: Dec. 31, 1996

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

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Mark: POLO

US Serial Number: 76060273      Application Filing Date: Feb. 20, 1996  
US Registration Number: 2083276      Registration Date: Jul. 29, 1997  
Register: Principal  
Mark Type: Service Mark  
Status: The registration has been renewed.  
Status Date: Oct. 18, 2007  
Publication Date: May 06, 1997

## Mark Information

Mark Literal Elements: POLO  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate deleted goods/services.
- Double parenthesis ( ( ) ) identify any goods/services not claimed in a Section 16 affidavit of distinctiveness.
- Asterisk ( \* ) identify additional (new) wording in the goods/services.

For: providing information in the field of fashion, fragrance, lifestyle and other topics of general interest by means of a global computer network

International Class(es): 042 - Primary Class

U.S. Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 1995

Use in Commerce: Nov. 01, 1995

## Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Composed of: composed of Polo Ralph Lauren Corporation, a New York corporation  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: LIMITED PARTNERSHIP      State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record

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Mark: POLO BY RALPH LAUREN

US Serial Number: 72439201  
US Registration Number: 990395  
Register: Principal  
Mark Type: Service Mark  
Status: The registration has been renewed.  
Status Date: Nov. 08, 2005

Application Filing Date: Oct. 24, 1972  
Registration Date: Aug. 06, 1974

## Mark Information

Mark Literal Elements: POLO BY RALPH LAUREN  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)  
Name Portrait Consent: THE NAME "RALPH LAUREN" IS THAT OF A LIVING INDIVIDUAL WHOSE CONSENT IS OF RECORD.

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [ ] indicate deleted goods/services.
- Double parenthesis (( )) identify any goods/services not claimed in a Section 15 affidavit.
- Asterisks \* identify additional (new) wording in the goods/services.

For: RETAIL CLOTHING STORE SERVICES

International Class(es): 042

U.S. Class(es): 101 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: 1969

Use In Commerce: 1969

## Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record  
Attorney Name: G. ROXANNE ELINGS  
Correspondent

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Mark: POLO COUNTRY STORE

US Serial Number: 74083980

Application Filing Date: Jul. 30, 1990

US Registration Number: 1674639

Registration Date: Feb. 04, 1992

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed

Renewal Date: Feb. 07, 2012

Publication Date: Nov. 12, 1991

## Mark Information

Mark Literal Elements: POLO COUNTRY STORE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S)/LETTER(S)/NUMBER(S)

Disclaimer: "COUNTRY STORE"

## Related Properties Information

Claimed Ownership of US: 1363459, 1398585, 1466420, 1469152, 1536448, 1537444 and others  
Registrations:

## Goods and Services

Notes: The mark was amended to include the goods/services.

Does not claim in a Section 15 affidavit of the goods/services.

For: retail clothing store services

International Class(es): 042 - Primary Class

U.S. Class(es): 100

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 1994

Use in Commerce: Jul. 1994

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE



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Mark: POLO SPORT

US Serial Number: 75080274

Application Filing Date: Feb. 20, 1996

US Registration Number: 2083277

Registration Date: Jul. 29, 1997

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Oct. 18, 2007

Publication Date: May 06, 1997

### Mark Information

Mark Literal Elements: POLO SPORT

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

### Goods and Services

For: providing information in the field of fashion, fragrance, lifestyle and other topics of general interest by means of a global computer network

International Class(es): 042 - Primary Class

U.S. Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 01, 1995

Use in Commerce: Nov. 01, 1995

### Basis Information (Case Level)

Filed US: Yes

Currently US: Yes

Amended US: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 440: No

Currently 440: No

Amended 440: No

Filed 445: No

Currently 445: No

Amended 445: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: G. Roxanne Elings

Docket Number: 094480.01000

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Mark: POLO SPORT

US Serial Number: 78187389  
US Registration Number: 2857837  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Jul. 07, 2010  
Publication Date: Apr. 06, 2004  
Application Filing Date: Nov. 21, 2002  
Registration Date: Jun. 29, 2004

### Mark Information

Mark Literal Elements: POLO SPORT  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)  
Disclaimer: "SPORT"

### Related Properties Information

Claimed Ownership of US Registrations: 1951601, 2077062, 2083277 and others

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate deleted goods/services.
- Double parenthesis ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit.
- Asterisks\* identify additional (new) wording in the goods/services.

For: HANDBAGS

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1995

Use in Commerce: Jun. 01, 1995

### Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: DELAWARE

Mark: CAMP POLO

CAMP POLO

US Serial Number: 77138617

Application Filing Date: Mar. 23, 2007

US Registration Number: 3452078

Registration Date: Jun. 24, 2008

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jun. 24, 2008

Publication Date: Apr. 08, 2008

### Mark Information

Mark Literal Elements: CAMP POLO

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Goods and Services

Goods and Services: The mark is used in connection with the following goods and services:   
Retail store services and online retail store services featuring clothing, shoes and fashion accessories;   
International Class(es): 035 - Primary Class   
U.S. Class(es): 100, 101, 102

CHASSIN: ACTIVE

Brand: (s)

First Use: May 2005

Use in Commerce: May 2005

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

Attorney At Record

Attorney Name: G. Roxanne Elings

Docket Number: 094490.01000

Attorney Primary Email: elingsr@qilaw.com

Attorney Email: No

Address:

Authorized:

Correspondent

Correspondent G. ROXANNE ELINGS  
Name/Address: GREENBERG TRAURIG, LLP  
200 PARK AVE FL 14

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Mark: BABY'S FIRST POLO

**BABY'S FIRST POLO**

US Serial Number: 77575396

Application Filing Date: Sep. 22, 2008

US Registration Number: 3711118

Registration Date: Nov. 17, 2009

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 17, 2009

Publication Date: Sep. 01, 2009

### Mark Information

Mark Literal Elements: BABY'S FIRST POLO

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "BABY'S"

### Related Properties Information

Claimed Ownership of US: 0276855, 1363459, 1468420  
Registrations:

### Goods and Services

For: Shirts

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2008

Use in Commerce: Feb. 2008

### Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

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Mark: POLO BEAR

US Serial Number: 74201124  
US Registration Number: 1745274  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Mar. 20, 2003  
Publication Date: May 26, 1992  
Application Filing Date: Sep. 06, 1991  
Registration Date: Jan. 05, 1993  
Notice of Allowance Date: Aug. 18, 1992

### Mark Information

Mark Literal Elements: POLO BEAR  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S)/LETTER(S)/NUMBER(S)  
Disclaimer: "BEAR"

### Related Properties Information

Claimed Ownership of US 0276855, 0978166, 0984055, 1050722, 1067743, 1203658, 1249050, 1363459, 1378247, 1398247, 1398585, 1455449, 1468418, 1468419, 1468420, 1468151, 1468152, 1508314, 1530948 and others

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate deleted goods/services.
- Double parentheses ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \* identify additional (new) wording in the goods/services.

For: stuffed toys and clothing and accessories for stuffed toys

International Class(es): 028 - Primary Class

U.S. Class(es): 022

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 28, 1991

Use in Commerce: Nov. 28, 1991

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: DELAWARE

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Mark: POLO BLUE

**POLO BLUE**

US Serial Number: 76314530      Application Filing Date: Sep. 17, 2001  
US Registration Number: 2782617      Registration Date: Nov. 11, 2003  
Register: Principal  
Mark Type: Trademark  
Status: A Section 8 declaration has been accepted.  
Status Date: Sep. 30, 2009  
Publication Date: May 07, 2002      Notice of Allowance Date: Jul. 30, 2002

### Mark Information

Mark Literal Elements: POLO BLUE  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

### Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- 1. Blank fields indicate deleted goods/services.
- 2. Deletions: Indicate any goods/services not claimed in a Section 15 affidavit or
- 3. Additions: Indicate additional (new) wording in the goods/services.

For: Eau de toilette, after shave [ lotion and ] gel, shower gel, [ body lotion ] and personal deodorant

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2002

Use in Commerce: Sep. 2002

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney Name: Lisa M. Gigliotti      Docket Number: RL 1040-1042  
Correspondent: Lisa M. Gigliotti  
Name/Address: L'OREAL USA CREATIVE, INC  
575 5TH AVE 34TH FLOOR  
NEW YORK, NEW YORK 10017  
UNITED STATES  
Phone: (212) 984-4177      Fax: (212) 984-5082

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Mark: POLO BLACK

POLO BLACK

US Serial Number: 78486831  
US Registration Number: 3130913  
Register: Principal  
Mark Type: Trademark  
Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.  
Status Date: Mar. 22, 2012  
Publication Date: Oct. 11, 2005  
Application Filing Date: Sep. 21, 2004  
Registration Date: Aug. 15, 2006  
Notice of Allowance Date: Jan. 03, 2006

### Mark Information

Mark Literal Elements: POLO BLACK  
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Related Properties Information

Claimed Ownership of US Registrations: 2728055, 2782617, 2854769 and others

### Goods and Services

For: Eau de toilette, after shave splash, after shave gel, shower gel, personal deodorant

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 21, 2005

Use in Commerce: Aug. 21, 2005

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

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Mark: POLO DOUBLE BLACK

POLO DOUBLE BLACK

US Serial Number: 78905163

Application Filing Date: Jun. 12, 2006

US Registration Number: 3486443

Registration Date: Aug. 12, 2008

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Aug. 12, 2008

Publication Date: Oct. 17, 2006

Notice of Allowance Date: Jan. 09, 2007

## Mark Information

Mark Literal Elements: POLO DOUBLE BLACK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 1532557, 2782617, 2854769, 78978502 and others

Parent Of: 78978502

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate deleted goods/services.
- Double parentheses ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit.
- Asterisks ( \* ) identify additional (new) wording in the goods/services.

For: After shave gel, personal deodorant, hair and body wash

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 062

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 2006

Use in Commerce: Sep. 01, 2006

## Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: Usa M. Gigliotti

Docket Number: RL 311-25-13



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Mark: POLO DOUBLE BLACK

POLO DOUBLE BLACK

US Serial Number: 78978502  
US Registration Number: 3278057

Application Filing Date: Jun. 12, 2006  
Registration Date: Aug. 07, 2007

Register: Principal

Mark Type: Trademark

Status: A Section 8 declaration has been accepted.

Status Date: Nov. 06, 2012

Publication Date: Oct. 17, 2006

Notice of Allowance Date: Jan. 09, 2007

## Mark Information

Mark Literal Elements: POLO DOUBLE BLACK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

## Related Properties Information

Claimed Ownership of US Registrations: 1532557, 2782817, 2854789, 78808163 and others

Child Of: 78908163

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate deleted goods/services.
- Double parentheses ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \* identify additional (new) wording in the goods/services.

For: Eau de toilette and after shave splash

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2006

Use in Commerce: Oct. 01, 2006

## Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lisa M. Gigliotti

Docket Number: R,L 310-33-1

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Mark: POLO EXPLORER

POLO EXPLORER

US Serial Number: 77116476

Application Filing Date: Feb. 26, 2007

US Registration Number: 3534693

Registration Date: Nov. 18, 2008

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 18, 2008

Publication Date: Aug. 28, 2007

Notice of Allowance Date: Nov. 20, 2007

### Mark Information

Mark Literal Elements: POLO EXPLORER

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

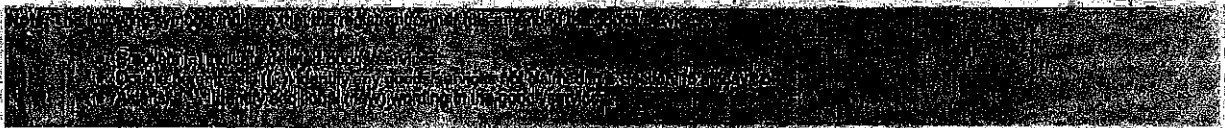
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Related Properties Information

Claimed Ownership of US 77975282  
Registrations:

Parent Of: 77975282

### Goods and Services



For: Personal deodorant

International Class(es): 009 - Primary Class

US Class(es): 009, 004, 008, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 01, 2008

Use in Commerce: Apr. 01, 2008

### Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lisa M. Gigliotti

Docket Number: RL1040.1042

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Mark: POLO EXPLORER

**POLO EXPLORER**

US Serial Number: 77975282

Application Filing Date: Feb. 26, 2007

US Registration Number: 3427963

Registration Date: May 13, 2008

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 13, 2008

Publication Date: Aug. 28, 2007

Notice of Allowance Date: Nov. 20, 2007

### Mark Information

Mark Literal Elements: POLO EXPLORER

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

### Related Properties Information

Claimed Ownership of US: 77116476

Registrations:

Child Of: 77116476

### Goods and Services

For: Eau de toilette, after shave splash, after shave gel, bath and shower gel

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2007

Use In Commerce: Aug. 01, 2007

### Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where: DELAWARE

Organized:

### Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lisa M. Gigliotti

Docket Number: RL 311-25-13

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Mark: POLO RALPH LAUREN BLUE

POLO RALPH LAUREN BLUE

US Serial Number: 76366497  
US Registration Number: 2728055  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: May 08, 2013  
Publication Date: Aug. 06, 2002  
Application Filing Date: Feb. 04, 2002  
Registration Date: Jun. 17, 2003  
Notice of Allowance Date: Oct. 29, 2002

### Mark Information

Mark Literal Elements: POLO RALPH LAUREN BLUE  
Standard Character Claim: No  
Mark Drawing Type: 1- TYPESET WORD(S) / LETTER(S) / NUMBER(S)

### Goods and Services

Note: The following information is provided for informational purposes only and is not a legal description of the mark.

For: Eau de toilette, after shave lotions, personal deodorants and shower gel

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2002

Use in Commerce: Sep. 2002

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney Name: Lisa M. Gigliotti, Esq.  
Docket Number: RL 311-25-13  
Correspondent  
Correspondent Name/Address: Lisa M. Gigliotti  
L'OREAL USA CREATIVE, INC.  
575 Fifth Avenue, 34th floor  
NEW YORK, NEW YORK 10017  
UNITED STATES

Domestic Representative - Not Found

Mark: POLO SPORT

US Serial Number: 74185470  
US Registration Number: 1858094  
Register: Principal  
Mark Type: Trademark  
Status: The registration has been renewed.  
Status Date: Feb. 27, 2004  
Publication Date: May 05, 1992  
Application Filing Date: Jul. 15, 1991  
Registration Date: Oct. 11, 1994  
Notice of Allowance Date: Sep. 29, 1992

### Mark Information

Mark Literal Elements: POLO SPORT  
Standard Character Claim: No  
Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

### Goods and Services

For: toilette water, after shave, shaving balm, [skin lotion,] skin cream, [talcum powder,] shaving gel, [shaving cream,] body soap, [hair shampoo,] face moisturizer, deodorants [and antiperspirants, and sun screen preparation]

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 31, 1993

Use in Commerce: Dec. 31, 1993

### Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

### Current Owner(s) Information

Owner Name: PRL USA HOLDINGS, INC.  
Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES  
Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

### Attorney/Correspondence Information

Attorney Name: LISA M. GIGLIOTTI

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Mark: POLO TRAVEL

POLO TRAVEL

US Serial Number: 76072766  
US Registration Number: 2498029

Application Filing Date: Jun. 19, 2000  
Registration Date: Oct. 16, 2001

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Oct. 19, 2011

Publication Date: Jul. 24, 2001

## Mark Information

Mark Literal Elements: POLO TRAVEL

Standard Character Claim: No

Mark Drawing Type: 1 - TYRESET WORD(S) / LETTER(S) / NUMBER(S)

Disclaimer: "TRAVEL"

## Goods and Services

For: TRAVEL AGENCY SERVICES, NAMELY, MAKING RESERVATIONS AND BOOKINGS FOR TRANSPORTATION

International Class(es): 039 - Primary Class

U.S. Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1991

Use in Commerce: Dec. 01, 1991

For: TRAVEL AGENCY SERVICES, NAMELY, MAKING RESERVATIONS AND BOOKING FOR TEMPORARY LODGING

International Class(es): 042 - Primary Class

U.S. Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1991

Use in Commerce: Dec. 01, 1991

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where  
Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record:

Generated on: This page was generated by TSDR on 2013-07-03 09:48:59 EDT

Mark: POLO RALPH LAUREN RED WHITE & BLUE

POLO RALPH LAUREN RED  
WHITE & BLUE

US Serial Number: 77980249  
US Registration Number: 3902098

Application Filing Date: May 12, 2009  
Registration Date: Jan. 04, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 04, 2011

Publication Date: Oct. 27, 2009

Notice of Allowance Date: Jan. 19, 2010

## Mark Information

Mark Literal Elements: POLO RALPH LAUREN RED WHITE & BLUE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Name Portrait Consent: The name "RALPH LAUREN" identifies a living individual whose consent is of record.

## Related Properties Information

Claimed Ownership of US Registrations: 1532557, 2728055, 2782617, 77735148 and others

Child Of: 77735148

## Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets ( ) indicate deleted goods/services.
- Double parentheses ( ( ) ) identify any goods/services not claimed in a Section 15 affidavit.
- Asterisks ( \* ) identify additional (new) wording in the goods/services.

For: Eau de toilette

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2009

Use in Commerce: Oct. 01, 2009

## Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

## Current Owner(s) Information

Owner Name: PRL USA Holdings, Inc.

Owner Address: 550 Seventh Avenue  
New York, NEW YORK 10018  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

## Attorney/Correspondence Information

Attorney of Record

# Exhibit B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: U.S. Application Serial No. 85477199



Mark:

Published: July 17, 2012

-----X  
PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

-----X  
**OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT**

Opposer PRL USA Holdings, Inc. ("Opposer") hereby requests, pursuant to Rule 33 of the Federal Rules of Civil Procedure and Rule 2.120 of the U.S. Trademark Rules of Practice, that Applicant Rich C. Young (hereinafter "Applicant") respond in writing to this First Set of Interrogatories within the time required by the Trademark Rules of Practice.

Dated: April 2, 2013

GREENBERG TRAURIG, LLP

By: /Seth E. Kertzer/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Attorneys for Opposer

## **INSTRUCTIONS**

1. These interrogatories are addressed to Applicant and its (i) present or former directors, officers, employees, agents, representatives, accountants, investigators, consultants, attorneys, and predecessors or successors in interest and any parent, subsidiary or affiliated entities that were in existence during the applicable period of time covered by these interrogatories; (ii) any other person or entity acting on Applicant's behalf or on whose behalf Applicant acted; and (iii) any other person or entity otherwise subject to Applicant's control or which controls Applicant, or with which Applicant is under common control.

2. Applicant's answers must include all information concerning the matters inquired about available to Applicant's attorneys, and to investigators or other agents for Applicant and its attorneys.

3. If Applicant cannot answer any interrogatory fully and completely after exercising due diligence to make inquiry and secure the information necessary to do so, please so state and answer each such interrogatory to the fullest extent Applicant deems possible, specify the portion of each interrogatory that Applicant claims to be unable to answer fully and completely, state the facts upon which Applicant relies to support its contention that it is unable to answer the interrogatory fully and completely, and state what knowledge, information or belief Applicant has concerning the unanswered portion of each such interrogatory.

4. In the event that the answer to all or any part of any interrogatory is not presently known or available, Applicant shall include a statement to that effect, furnish the information known or available, and respond to the entire interrogatory by supplemental answer in writing and under oath within ten days from the time the entire answer becomes known or available. These Interrogatories seek responses as of the date hereof but shall be deemed to be continuing so that any additional information relating in any way to these interrogatories which Applicant acquires or which becomes known to Applicant up to and including the time of trial shall be furnished to Applicant promptly after such information is acquired or becomes known as required by Rule 26(e) of the Federal Rules of Civil Procedure.

## **DEFINITIONS**

1. The terms “Opposer” or “PRL” mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other persons acting or purporting to act on behalf of said entities, inclusively.
2. As used herein, “Opposer’s Marks” refers to the marks identified in the Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.
3. The terms “You,” “Your,” or “Applicant” mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.
4. The term “Applicant’s Products” or “Products” refers to all goods identified in Applicant’s Trademark Application Serial No. 85477199.
5. The term “Applicant’s Mark” shall refer to the mark identified in U.S.



Trademark Application Serial No. 85477199 for

6. The term “Person” includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms. Finally, the terms “and” and “or” are meant as both conjunctive and disjunctive.
7. The term “Communications” means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in person, telephone conversations, telegrams, telexes, facsimiles, letters,

emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

8. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

9. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

10. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other persons having knowledge of the matter with respect to

which the company is named. In the case of “document,” “identity” of the persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the “identity” of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of each copy (including title, index number and location of the file in which it is kept or from which it was removed) and “identity” of the present custodian or person responsible for its filing or other disposition, “identity” of persons who can authenticate or “identify” it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

11. “And” and “or” shall be construed conjunctively or disjunctively, whichever makes the requests more inclusive. The term “all” shall mean “any and all” and the term “any” shall mean “any and all.” The singular of any word or phrase shall include the singular of such word or phrase.

### **INTERROGATORIES**

#### **Interrogatory No. 1:**

Identify all Products offered or intended to be offered for sale by Applicant bearing Applicant’s Mark.

#### **Interrogatory No. 2:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant’s Mark.

#### **Interrogatory No. 3:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant’s Mark.

#### **Interrogatory No. 4:**

Describe in detail the process through which Applicant’s Mark was designed and developed.

#### **Interrogatory No. 5:**

Identify Applicant’s total revenues from the sale and/or licensing of goods in 2011 and 2012.

**Interrogatory No. 6:**

Identify the goods manufactured, sold, and/or distributed by Applicant in 2011 and 2012.

**Interrogatory No. 7:**

Identify any other litigation or legal disputes regarding use of Applicant's Mark by stating the name and case number of the litigation or, if a legal dispute has not matured into litigation, by stating the name and address of the Person with whom Applicant has the dispute.

**Interrogatory No. 8:**

Identify all market research relating to Applicant's Mark or any product and/or service marketed or proposed to be marketed under Applicant's Mark.

**Interrogatory No. 9:**

Identify all Persons with whom Applicant has entered or intends to enter into a license, contract or other agreement, including but not limited to coexistence agreements, regarding use of Applicant's Mark.

**Interrogatory No. 10:**

Identify each person Applicant intends to call as a witness in this proceeding and the substance of the facts as to which he or she is expected to testify.

**Interrogatory No. 11:**

Identify all Persons who furnished information regarding the answers to the foregoing Interrogatories.

Dated: April 2, 2013

GREENBERG TRAURIG, LLP

By:       /Seth E. Kertzer/      

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of April, 2013, the foregoing Opposer's First Set of Interrogatories was served upon Applicant by delivering same to Applicant via First Class Mail:

YOUNG, RICH C.  
333 WEST GARVEY AVE SUITE 123B  
MONTEREY PARK, CA 91754

/Seth E. Kertzer/  
Seth E. Kertzer

# Exhibit C



**IN THE UNITED STATES PATENT AND TRADE MARK OFFICE  
BEFORE THE TRADE MARK TRIAL AND APPEAL BOARD**

**In re: U.S. Application Serial No. 85477199**

**Mark: Irish Polo Club USA USA**

**Published: July 17, 2012**

PRL USA HOLDING INC

v/s

Opposer

Rich C. Young

Applicant

Opposition No.: 91206846

**APPLICANT RESPONSES TO OPPOSER'S FIRST SET OF  
INTERROGATORIES TO APPLICANT**

Rich C. Young (Applicant), Applicant responses to Opposer's First Set of Interrogatories, Pursuant to Rules 33 of the Federal Rules of Civil Procedure and rule 2.120 of the U.S. Trademark Rules of Practice, that Rich C. Young (hereinafter "Applicant") responses in writing to this first set of Interrogatories within the time required by the Trademark Rules of Practice

Dated: April 18, 2013

Respectfully Submitted.

By:  /RICH C. YOUNG/

Rich C. Young

333 W. Garvey Ave, Suite 806

Monterey Park, CA 91754

Tel: 1-626-289-8822

Email: rcy2001@gmail.com

## **INSTRUCTIONS**

1. These interrogatories are addressed to Applicant and its (i) present or former directors, officers, employees, agents, representatives, accountants, investigators, consultants, attorneys, and predecessors or successors in interest and any parent, subsidiary or affiliated entities that were in existence during the applicable period of time covered by these interrogatories; (ii) any other person or entity acting on Applicant's behalf or on whose behalf Applicant acted; and (iii) any other person or entity otherwise subject to Applicant's control or which controls Applicant, or with which Applicant is under common control.

2. Applicant's answers must include all information concerning the matters inquired about available to Applicant's attorneys, and to investigators or other agents for Applicant and its attorneys.

3. If Applicant cannot answer any interrogatory fully and completely after exercising due diligence to make inquiry and secure the information necessary to do so, please so state and answer each such interrogatory to the fullest extent Applicant deems possible, specify the portion of each interrogatory that Applicant claims to be unable to answer fully and completely, state the facts upon which Applicant relies to support its contention that it is unable to answer the interrogatory fully and completely, and state what knowledge, information or belief Applicant has concerning the unanswered portion of each such interrogatory.

4. In the event that the answer to all or any part of any interrogatory is not presently known or available, Applicant shall include a statement to that effect, furnish the information known or available, and respond to the entire interrogatory by supplemental answer in writing and under oath within ten days from the time the entire answer becomes known or available. These Interrogatories seek responses as of the date hereof but shall be *deemed to be continuing* so that any additional information relating in any way to these interrogatories which Applicant acquires or which becomes known to Applicant up to and including the time of trial shall be furnished to Applicant promptly after such information is acquired or becomes known as required by Rule 26(e) of the Federal Rules of Civil Procedure.

## **DEFINITIONS**

1. The terms "Opposer" or "PRL" mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other persons acting or purporting to act on behalf of said entities, inclusively.
2. As used herein, "Opposer's Marks" refers to the marks identified in the Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.
3. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.
4. The term "Applicant's Products" or "Products" refers to all goods identified in Applicant's Trademark Application Serial No. 85477199.
5. The term "Applicant's Mark" shall refer to the mark identified in U.S.



Trademark Application Serial No. 85477199 for

6. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms. Finally, the terms "and" and "or" are meant as both conjunctive and disjunctive.
7. The term "Communications" means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in person, telephone conversations, telegrams, telexes, facsimiles, letters,

emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

8. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

9. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

10. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other persons having knowledge of the matter with respect to

which the company is named. In the case of "document," "identity" of the persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of each copy (including title, index number and location of the file in which it is kept or from which it was removed) and "identity" of the present custodian or person responsible for its filing or other disposition, "identity" of persons who can authenticate or "identify" it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

11. "And" and "or" shall be construed conjunctively or disjunctively, whichever makes the requests more inclusive. The term "all" shall mean "any and all" and the term "any" shall mean "any and all." The singular of any word or phrase shall include the singular of such word or phrase.

### **INTERROGATORIES**

**Interrogatory No. 1:**

Identify all Products offered or intended to be offered for sale by Applicant bearing Applicant's Mark.

**Interrogatory No. 2:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

**Interrogatory No. 3:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

**Interrogatory No. 4:**

Describe in detail the process through which Applicant's Mark was designed and developed.

**Interrogatory No. 5:**

Identify Applicant's total revenues from the sale and/or licensing of goods in 2011 and 2012.

**Interrogatory No. 6:**

Identify the goods manufactured, sold, and/or distributed by Applicant in 2011 and 2012.

**Interrogatory No. 7:**

Identify any other litigation or legal disputes regarding use of Applicant's Mark by stating the name and case number of the litigation or, if a legal dispute has not matured into litigation, by stating the name and address of the Person with whom Applicant has the dispute.

**Interrogatory No. 8:**

Identify all market research relating to Applicant's Mark or any product and/or service marketed or proposed to be marketed under Applicant's Mark.

**Interrogatory No. 9:**

Identify all Persons with whom Applicant has entered or intends to enter into a license, contract or other agreement, including but not limited to coexistence agreements, regarding use of Applicant's Mark.

**Interrogatory No. 10:**

Identify each person Applicant intends to call as a witness in this proceeding and the substance of the facts as to which he or she is expected to testify.

**Interrogatory No. 11:**

Identify all Persons who furnished information regarding the answers to the foregoing Interrogatories.

**The Applicant's responses to INTERROGATORIES question:**

**Interrogatory No. 1**

We are in intention to use status; We don't have any business yet.

**Interrogatory No. 2**

Rich C. Young is the only creating and designs the mark logo "The Polo Club USA".

**Interrogatory No. 3.**

We are in intention to use status, We don't have any business Planning yet.

**Interrogatory No. 4**

The Mark "Irish Polo Club USA USA is created and design by Rich C. Young only.

**Interrogatory No. 5**

We are in intention to use status, We don't have any business yet.

**Interrogatory No. 6**

We are in intention to use, We don't manufacture any goods in 2011, 2012.

**Interrogatory No. 7**

We are in intention to use status, We don't have any business planning, so We don't have an person to legal dispute yet.

**Interrogatory No. 8**

We are in intention to use status, We don't have any market research yet.

**Interrogatory No. 9**

We are in intention to use status, We don't have any contract or intends to enter in a license, or any agreements yet.

**Interrogatory No. 10**

We are in intention to use status, We don't have any business yet, so We don't have any witness to testify.

**Interrogatory No. 11**

Rich C. Young is the person provide all information to answers  
to the foregoing interrogatories.

Dated: April 18, 2013.

Respectfully Submitted.



By: \_\_\_\_\_/RICH C. YOUNG/\_\_\_\_\_

Rich C. Young

333 W. Garvey Ave, Suite 806

Monterey Park, CA 91754

Tel: 1-626-289-8822

email: rcy2001@gmail.com



**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Applicant Responses To Opposer's First Set Of Interrogatories was served on April 18, 2013 by first class mail, postage prepaid, in an envelope addressed to Opposer as following:

Dated: April 18, 2013

GREENBERG TRAURIG LLP  
Daniel I. Schloss  
Seth E. Kertzer  
200 Park Ave., 34<sup>th</sup> Floor  
New York, NY 10166

  
\_\_\_\_\_/RICH C. YOUNG/\_\_\_\_

Rich C. Young, owner  
333 W. Garvey Ave, Suite 806  
Monterey Park, CA 91754  
Tel: 1-[626] 289-8822  
Email: rcy2001@gmail.com

# Exhibit D

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In re: U.S. Application Serial No. 85477199**



**Mark:**

**Published: July 17, 2012**

-----X

PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

-----X

**OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT**

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Rule 2.120 of the Trademark Rules of Practice, Opposer PRL USA Holdings, Inc. ("PRL" or "Opposer"), through and by its undersigned attorneys, hereby requests that Applicant Rich C. Young (hereinafter "Applicant") produce for inspection and copying at the offices of Greenberg Traurig, LLP, 200 Park Avenue, 34<sup>th</sup> Fl., New York, NY 10166, all documents as defined and set forth herein within the time required by the Trademark Rules of Practice.

Dated: April 2, 2013

GREENBERG TRAURIG, LLP

By: /Seth E. Kertzer/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
Attorneys for Opposer

## DEFINITIONS AND INSTRUCTIONS

1. The terms "Opposer" or "PRL" mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of said entities, inclusively.

2. As used herein, "Opposer's Marks" refers to the marks identified in Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.

3. As used herein, "Opposer's Pony Mark" refers to the mark below, used by Opposer in various forms:



4. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.

5. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms.

6. The term "Communications" means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in Person, telephone conversations, telegrams, telexes, facsimiles, letters, emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with

business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

7. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

8. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

9. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other Persons having knowledge of the matter with respect to which the company is named. In the case of "document," "identity" of the Persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of

each copy (including title, index number and location of the file in which it is kept or from which it was removed) and “identity” of the present custodian or Person responsible for its filing or other disposition, “identity” of Persons who can authenticate or “identify” it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

10. “And” and “or” shall be construed conjunctively or disjunctively, whichever makes the requests more inclusive. The term “all” shall mean “any and all” and the term “any” shall mean “any and all.” The singular of any word or phrase shall include the singular of such word or phrase.

11. The term “Applicant’s Products” or “Products” refers to all goods identified in Applicant’s Trademark Application Serial No. 85477199.

12. The term “Applicant’s Mark” shall refer to the mark identified in U.S. Trademark



Application Serial No. 85477199 for

13. With respect to each Document believed to exist by the Applicant, but which Document cannot be located, Applicant shall, to the extent known, provide the following information:

- a) The date appearing on each such document, and if it has no date, the answer shall so state and shall give the appropriate dates, when such document was prepared;
- b) The number of pages contained in each such document;
- c) The general nature and substance of each such document including the particular, express, or implied provision of each such document;
- d) The identifying or description code number, file number, title or label of each such document;
- e) The name(s) of the Person(s) who prepared or in any way assisted in the preparation of each such document; and
- f) The name of the Person having present or last known possession, custody, and control of such document, and of each and all known copies thereof.
- g) The above information shall be given in sufficient detail to enable a party or Person to whom a Subpoena or Request for Production of Documents is

later directed to identify fully the document(s) sought to be produced or subpoenaed, and to enable counsel for Opposer to determine that such document(s), when produced, is in fact that document(s) so described.

14. If production of any document is withheld on the basis of a claim of privilege, identify each withheld document separately by providing the following information (see *Upjohn v. United States*, 449 U.S. 383 (1981)):

- a) The above the identity and position of the Person or Persons supplying the information;
- b) the place, date and manner of recording, or otherwise providing the instrument;
- c) the names of the Person or Persons other than stenographic or clerical assistance participating in the preparation of the documents;
- d) the name and position of each Person to whom the content of the document is addressed or communicated to by copying, exhibiting, reading, or substantial summarization;
- e) a general description of the subject matter of the document;
- f) the type of privilege claimed (attorney/client or work product);
- g) the basis for the claim of privilege;
- h) all facts showing that the claimed privilege has not been waived;
- i) the status of the entity claiming the privilege; and
- j) the portions of the document as to which the privilege is claimed (i.e., one sentence, one paragraph, the entire document, etc.).

15. In addition to providing supplementary and amended production as required by Rule 26(e) of the Federal Rules of Civil Procedure, Opposer requests that if Applicant subsequently obtains further or different document or items responsive to this request, it produce those documents or items promptly. If Applicant for any reason is not agreeable to providing such supplementary and amended production, Opposer requests Applicant so advise Opposer's attorneys at the time it serves his original response to this request.



**Document Request No. 1:**

All Documents requested to be identified or used as the basis for answering Opposer's First Set of Interrogatories to Applicant.

**Document Request No. 2:**

All Documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

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**Document Request No. 5:**

All Documents concerning assertions, claims or protests by third parties that Applicant's Mark, or any other of Applicant's designs, trademarks, or products, constitute(d) an infringement, or possible or potential infringement.

**Document Request No. 6:**

All Documents concerning: (a) searches performed with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Documents showing the distributors, manufacturers, and retailers with which Applicant does business.

**Document Request No. 9:**

All Documents mentioning or related to any or all of Opposer's Marks.

**Document Request No. 10:**

All Documents mentioning or related to Opposer.

**Document Request No. 11:**

All Documents, otherwise not responsive to the preceding requests, upon which Applicant will rely upon at a trial or hearing in this matter.

New York, NY

**GREENBERG TRAURIG, LLP**

Dated: April 2, 2013

By: /Seth E. Kertzer/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of April, 2013, the foregoing Opposer's First Set of Document Requests was served upon Applicant by delivering same to Applicant via First Class Mail:

YOUNG, RICH C.  
333 WEST GARVEY AVE SUITE 123B  
MONTEREY PARK, CA 91754

/Seth E. Kertzer/  
Seth E. Kertzer

# Exhibit E

**IN THE UNITED STATES PATENT AND TRADE MARK OFFICE  
BEFORE THE TRADE MARK TRIAL AND APPEAL BOARD**

**In re: U.S. Application Serial No. 85477199**

**Mark: Irish Polo Club USA USA**

**Published: July 17, 2012**

PRL USA HOLDING INC

v/s

Opposer

Rich C. Young

Applicant

Opposition No. : 91206846

**APPLICANT RESPONSES TO OPPOSER'S FIRST SET OF  
DOCUMENT REQUEST**

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and rule 2.120 of the U.S. Trademark Rules of Practice, Opposer PRL USA Holding, Inc. ("PRL" or "Opposer"). Through and by its undersigned attorney, hereby requests that Applicant Rich C. Young (hereinafter "Applicant") produce for inspection and copying at the office of Greenburg Traurig LLP, 200 Park Avenue, 34th FL., New York, N.Y. 10166, all documents as defined and set forth herein within the time required by the Trademark Rules of Practice

Dated: April 18, 2013

By:  /RICH C. YOUNG/

Rich C. Young  
333 W. Garvey Ave, Suite 806  
Monterey Park, CA 91754  
Tel: 1-626-289-8822  
Email: rcy2001@gmail.com

## **DEFINITIONS AND INSTRUCTIONS**

1. The terms "Opposer" or "PRL" mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of said entities, inclusively.

2. As used herein, "Opposer's Marks" refers to the marks identified in Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.

3. As used herein, "Opposer's Pony Mark" refers to the mark below, used by Opposer in various forms:



4. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.

5. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms.

6. The term "Communications" means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in Person, telephone conversations, telegrams, telexes, facsimiles, letters, emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with

business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

7. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

8. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

9. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other Persons having knowledge of the matter with respect to which the company is named. In the case of "document," "identity" of the Persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of

each copy (including title, index number and location of the file in which it is kept or from which it was removed) and "identity" of the present custodian or Person responsible for its filing or other disposition, "identity" of Persons who can authenticate or "identify" it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

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11. The term "Applicant's Products" or "Products" refers to all goods identified in Applicant's Trademark Application Serial No. 85477199.

12. The term "Applicant's Mark" shall refer to the mark identified in U.S. Trademark



Application Serial No. 85477199 for

13. With respect to each Document believed to exist by the Applicant, but which Document cannot be located, Applicant shall, to the extent known, provide the following information:

- a) The date appearing on each such document, and if it has no date, the answer shall so state and shall give the appropriate dates, when such document was prepared;
- b) The number of pages contained in each such document;
- c) The general nature and substance of each such document including the particular, express, or implied provision of each such document;
- d) The identifying or description code number, file number, title or label of each such document;
- e) The name(s) of the Person(s) who prepared or in any way assisted in the preparation of each such document; and
- f) The name of the Person having present or last known possession, custody, and control of such document, and of each and all known copies thereof.
- g) The above information shall be given in sufficient detail to enable a party or Person to whom a Subpoena or Request for Production of Documents is



later directed to identify fully the document(s) sought to be produced or subpoenaed, and to enable counsel for Opposer to determine that such document(s), when produced, is in fact that document(s) so described.

14. If production of any document is withheld on the basis of a claim of privilege, identify each withheld document separately by providing the following information (see *Upjohn v. United States*, 449 U.S. 383 (1981)):

- a) The above the identity and position of the Person or Persons supplying the information;
- b) the place, date and manner of recording, or otherwise providing the instrument;
- c) the names of the Person or Persons other than stenographic or clerical assistance participating in the preparation of the documents;
- d) the name and position of each Person to whom the content of the document is addressed or communicated to by copying, exhibiting, reading, or substantial summarization;
- e) a general description of the subject matter of the document;
- f) the type of privilege claimed (attorney/client or work product);
- g) the basis for the claim of privilege;
- h) all facts showing that the claimed privilege has not been waived;
- i) the status of the entity claiming the privilege; and
- j) the portions of the document as to which the privilege is claimed (i.e., one sentence, one paragraph, the entire document, etc.).

15. In addition to providing supplementary and amended production as required by Rule 26(e) of the Federal Rules of Civil Procedure, Opposer requests that if Applicant subsequently obtains further or different document or items responsive to this request, it produce those documents or items promptly. If Applicant for any reason is not agreeable to providing such supplementary and amended production, Opposer requests Applicant so advise Opposer's attorneys at the time it serves his original response to this request.

**Document Request No. 1:**

All Documents requested to be identified or used as the basis for answering Opposer's First Set of Interrogatories to Applicant.

**Document Request No. 2:**

All Documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

**Document Request No. 3:**

All Documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

**Document Request No. 5:**

All Documents concerning assertions, claims or protests by third parties that Applicant's Mark, or any other of Applicant's designs, trademarks, or products, constitute(d) an infringement, or possible or potential infringement.

**Document Request No. 6:**

All Documents concerning: (a) searches performed with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Documents showing the distributors, manufacturers, and retailers with which Applicant does business.

---

**Document Request No. 9:**

All Documents mentioning or related to any or all of Opposer's Marks.

**Document Request No. 10:**

All Documents mentioning or related to Opposer.

**Document Request No. 11:**

All Documents, otherwise not responsive to the preceding requests, upon which Applicant will rely upon at a trial or hearing in this matter.

**Document Request No. 1:**

Answer: Applicant will use all documents to be identified or used as the basis for answering Opposer's First Set of Interrogatories.

**Document Request No. 2:**

Answer: Applicant will supply all documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

**Document Request No. 3:**

Answer: Applicant will supply All documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

Answer: Applicant will supply All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

**Document Request No. 5:**

Answer: Applicant will supply All documents concerning assertions, claims or protests by third parties that Applicant's Mark, or any other of Applicant's design, trademark, or products, constitute (d) an infringement, or possible or potential infringement.

**Document Request No. 6:**

Answer: Applicant will supply All Documents concerning: (a) searches with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Answer: Applicant will supply the Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Answer: Applicant will supply Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past tree years and Document's showing the distributors, manufactures, and retailers with which Applicant does business

**Document Request No. 9:**

Answer: Applicant will supply All Document mentioning or related to any all of Opposer's Marks.

**Document Request No. 10:**

Answer: Applicant will supply All documents mentioning or related to Opposer.

**Document Request No. 11:**

Answer: Applicant will supply All Documents, otherwise not responsive to the preceding requests, upon which Applicant will rely upon at a trial or hearing in this matter.

Date: April 18, 2013

By:  /Rich C. Young/

Rich C. Young

300 W. Garvey Ave., Suite 806

Monterey Park, CA 91754. U.S.A.

Tel: 626-289-8822

Email: [rcy2001@gmail.com](mailto:rcy2001@gmail.com)

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of April, 2013, the foregoing Reposes to Opposer First Set of Document Requests was served upon Opposer by delivery same to Opposer via First Class Mail.

GREEN TRAURIG, LLP

Daniel I. Schloss

Seth E. Kertzer

200 Park Avenue, 34<sup>th</sup> Floor

New York, NY 10166

By:  Rich C. Young

333 W. Garvey Ave., Suite 806

Monterey Park, CA 91754

## **EXHIBIT B**

ESTTA Tracking number: **ESTTA547220**

Filing date: **07/08/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206846
Party	Plaintiff PRL USA Holdings, Inc.
Correspondence Address	DANIEL I SCHLOSS GREENBERG TRAURIG LLP 200 PARK AVENUE 34TH FLOOR NEW YORK, NY 10166 UNITED STATES kertzers@gtlaw.com, schlossd@gtlaw.com, biancoc@gtlaw.com, kauperk@gtlaw.com, nytmdkt@gtlaw.com
Submission	Motion for Summary Judgment
Filer's Name	Seth E. Kertzer
Filer's e-mail	kertzers@gtlaw.com, schlossd@gtlaw.com, biancoc@gtlaw.com, nairm@gtlaw.com, NYTMDKT@GTLAW.com
Signature	/Seth E. Kertzer/
Date	07/08/2013
Attachments	Motion for Summary Judgment - PRL v RICH YOUNG (IRISH USA POLO CLUB USA - 91206846).pdf(2069180 bytes )



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: U.S. Application Serial No. 85477199



Mark:

Published: June 17, 2012

PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

**OPPOSER'S MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, and Rule 2.127(e) of the Trademark Rules of Practice, Opposer hereby moves for summary judgment on the basis that the application herein opposed was void *ab initio* for lack of *bona fide* intent to use Applicant's Mark. Through his discovery responses, Applicant Rich C. Young ("Applicant") has amply demonstrated that he had no *bona fide* intent to use the mark that is the subject of this Opposition. Opposer respectfully submits that, if the Board grants Opposer's concurrently filed Motion to Amend<sup>1</sup>, the Board should further grant this Motion for Summary Judgment as no genuine issue of material fact would then exist for the Board to decide.

<sup>1</sup> Opposer has concurrently filed a Motion to Amend its Notice of Opposition to assert lack of *bona fide* intent to use the mark as an additional ground for opposition. In factual circumstances like those present here, the Board has repeatedly approved the filing of a motion for summary judgment concurrently with a motion to amend

### **STANDARD FOR SUMMARY JUDGMENT**

Summary judgment is appropriate where there are no genuine disputes as to any material facts, thus allowing the case to be resolved as a matter of law. Fed. R. Civ. P. 56(a). The party seeking summary judgment bears the burden of demonstrating the absence of any genuine dispute of material fact, and that it is entitled to a judgment under the applicable law. *See Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986); *Sweats Fashions, Inc. v. Pannill Knitting Co. Inc.*, 833 F.2d 1560, 4 USPQ2d 1793, 1796 (Fed. Cir. 1987). A factual dispute is genuine if, on the evidence of record, a reasonable fact finder could resolve the matter in favor of the non-moving party. *See Opryland USA Inc. v. Great American Music Show Inc.*, 970 F.2d 847, 23 USPQ2d 1471, 1472 (Fed. Cir. 1992); *Olde Tyme Foods, Inc. v. Roundy's, Inc.*, 961 F.2d 200, 22 USPQ2d 1542, 1544 (Fed. Cir. 1992). When appropriate, the Board does not hesitate to dispose of cases on summary judgment. *Milliken & Company v. Image Indus., Inc.*, 39 U.S.P.Q.2D 1192, 1196 (TTAB 1996). In fact, the Board has disposed of cases under extremely similar circumstances. *See Honda Motor Co.*, 90 USPQ2d 1660 (motion for summary judgment granted based on concurrently amended Notice of Opposition, adding claim for lack of *bona fide* intent to use a mark). As shown below, summary judgment is appropriate in this proceeding, as Applicant has conceded the facts necessary to find in favor of Opposer in its claim for lack of *bona fide* intent to use, and no reasonable fact finder could decide this factual issue in Applicant's favor.

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pleadings. *See e.g., Honda Motor Co. v. Friedrich Winkelmann*, 90 USPQ2d 1660 (TTAB 2009) (motion to amend to add additional claim for relief was filed simultaneously with motion for summary judgment); *Societe des Produits Marnier Lapostolle v. Distillerie Moccia S.R.L.*, 10 U.S.P.Q.2d 1241, 1242 n.4 (TTAB 1989).

### LACK OF BONA FIDE INTENT TO USE

A determination of whether an applicant has a *bona fide* intention to use the mark in commerce is an objective determination based on all the circumstances. *See Boston Red Sox Baseball Club LP v. Sherman*, 88 USPQ2d 1581 (TTAB 2008); *see also Lane Ltd. v. Jackson International Trading Co.*, 33 USPQ2d 1351, 1355 (TTAB 1994). The Board has held that the absence of any documentary evidence on the part of an applicant regarding such intent constitutes objective proof sufficient to prove that the applicant lacks a *bona fide* intention to use its mark in commerce. *See Boston Red Sox*, 88 USPQ2d 1581; *see also Commodore Electronics Ltd. v. CBM Kabushiki Kaisha*, 26 USPQ2d 1503, 1507 (TTAB 1993). The Board has further stated that an applicant's "mere statement of subjective intent" alone will never be sufficient to establish a *bona fide* intent to use the mark in commerce. *Lane Ltd.*, 33 USPQ2d at 1356.

### FACTUAL BACKGROUND

On or about November 19, 2011, Applicant Rich C. Young ("Applicant") filed Application Serial No. 85477199 (the "Application") with the United States Patent and Trademark Office ("U.S.P.T.O.") to register the following mark:



("Applicant's Mark") for use on or in connection with "Shirts." The Application is based solely on Applicant's purported *bona fide* intent to use the mark. On August 31, 2012, Opposer filed a Notice of Opposition against the Application on the grounds of likelihood of confusion and dilution.

During the course of discovery, Applicant has repeatedly made clear in his responses that he has undertaken no business planning or other business activities whatsoever with respect to Applicant's Mark. Additionally, despite document requests properly put forth by Opposer, Applicant has produced no documents whatsoever evidencing any intention to use Applicant's Mark, nor provided any explanation for his failure to do so. Not only does Applicant lack any documentary evidence of his intent to use Applicant's Mark in commerce, Applicant has repeatedly stated that he has neither taken any action nor made any plans to use the mark in commerce. In response to Opposer's First Set of Interrogatories, Applicant provided the following responses:

**Interrogatory No. 1:**

Identify all Products offered or intended to be offered for sale by Applicant bearing Applicant's Mark.

**Response to Interrogatory No. 1:**

We are in intention to use status; We don't have any business yet.

**Interrogatory No. 3:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

**Response to Interrogatory No. 3:**

We are in intention to use status, We don't have any business planning yet.

**Interrogatory No. 8:**

Identify all market research relating to Applicant's Mark or any product and/or service marketed or proposed to be marketed under Applicant's Mark.

**Response to Interrogatory No. 8:**

We are in intention to use status, We don't have any market research yet.

**Interrogatory No. 9:**

Identify all Persons with whom Applicant has entered or intends to enter into a license, contract or other agreement, including but not limited to coexistence agreements, regarding use of Applicant's Mark.

**Response to Interrogatory No. 9:**

We are in intention to use status, We don't have any contract or intends [sic] to enter in a license, or any agreements yet.

Through these responses, Applicant makes clear that he has not yet engaged in *any* planning or business activities related to Applicant's Mark beyond his preparation of the Application. A copy of Opposer's First Set of Interrogatories to Applicant is attached hereto as Exhibit A. A copy of Applicant's responses to Opposer's First Set of Interrogatories to Applicant is attached hereto as Exhibit B.

On April 2, 2013, Opposer served Opposer's First Set of Document Requests on Applicant, including the following requests:

**Document Request No. 2:**

All Documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

**Document Request No. 3:**

All Documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

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**Document Request No. 8:**

Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Documents showing the distributors, manufacturers, and retailers with which Applicant does business.

Applicant responded to Opposer's First Set of Document Requests on April 18, 2013, stating that he would produce all requested documents. However, Applicant provided no documents to Opposer, confirming that he had no documents reflecting any preparatory business activities in connection with his purported intent to use Applicant's mark. The lack of such documents is consistent with Applicant's responses to Opposer's First Set of Interrogatories, in which he states that he has engaged in no relevant business activities or planning beyond his initial Application. A copy of Opposer's First Set Document Requests to Applicant are attached hereto as Exhibit C. A copy of Applicant's responses to Opposer's First Set of Document Requests to Applicant are attached hereto as Exhibit D.

In addition to Applicant's assertions that he neither engaged in business planning nor business activities with respect to Applicant's Mark, in response to Opposer's Interrogatories, Applicant also states that he is not yet involved with or planning the manufacturing, sale, licensing or distribution of *any* goods whatsoever:

**Interrogatory No. 5:**

Identify Applicant's total revenues from the sale and/or licensing of goods in 2011 and 2012.

**Response to Interrogatory No. 5:**

We are in intention to use status, We don't have any business yet.

**Interrogatory No. 6:**

Identify the goods manufactured, sold, and/or distributed by Applicant in 2011 and 2012.

**Response to Interrogatory No. 6:**

We are in intention to use, We don't manufacture any goods in 2011, 2012.

**ARGUMENT**

**A. The Lack of Any Documents Evidencing an Intent to Use a Mark Has Been Held to Demonstrate an Absence of a *Bona Fide* Intent to Use a Mark**

A determination of whether an applicant has a *bona fide* intention to use the mark in commerce is an objective determination based on all the circumstances. *See Boston Red Sox*, 88 USPQ2d 1581; *see also Lane Ltd.*, 33 USPQ2d at 1355. The Board has held that the absence of any documentary evidence on the part of an applicant regarding such intent constitutes objective proof sufficient to prove that the applicant lacks a *bona fide* intention to use its mark in commerce. *See Honda Motor*, 90 USPQ2d 1660;

The Board has held ... that the absence of any documentary evidence regarding an applicant's *bona fide* intention to use a mark in commerce is sufficient to prove that an applicant lacks such intention as required by Section 1(b) of the Trademark Act, unless other facts are presented which adequately explain or outweigh applicant's failure to provide such documentary evidence.

*Honda Motor*, 90 USPQ2d 1660 (citations omitted), citing *Commodore Electronics*, 26 USPQ2d at 1507; *see also Boston Red Sox*, 88 USPQ2d 1581.

The Board has further stated that an applicant's "mere statement of subjective intent" alone, will never be sufficient to establish a *bona fide* intent to use the mark in commerce. *Lane Ltd.*, 33 USPQ2d at 1356; *Honda Motor*, 90 USPQ2d 1660.

**B. Applicant Has Repeatedly Confirmed The Absence of Evidence Corroborating a *Bona Fide* Intent to Applicant's Mark**

Applicant's answers to Opposer's First Set of Interrogatories to Applicant and lack of any document production in response to Opposer's First Set of Document Requests to Applicant establish that Applicant:

- (1) has engaged in no business activities with respect to Applicant's Mark;
- (2) has engaged in no business planning with respect to Applicant's Mark;
- (3) has yet to identify or conceive of products on which he intends to use Applicant's Mark; and
- (4) has no documents whatsoever that would support his alleged *bona fide* intent to use Applicant's Mark in commerce.

Furthermore, Applicant's pleadings and responses have suggested no facts that would explain or outweigh his total lack of documents supporting a *bona fide* intent to use Applicant's Mark. Through his discovery responses and production, Applicant has made clear that not only does he lack any documents supporting his *bona fide* intent to use Applicant's Mark in commerce, but, at the time he filed the Application, and through the time of his discovery responses, he had taken absolutely no actions that would support his alleged *bona fide* intent to use the mark in commerce. Applicant's admissions in discovery have foreclosed the possibility that he could introduce other facts that could adequately explain or outweigh his failure to provide documentary evidence of *bona fide* intent to use.

### CONCLUSION

As shown above, Applicant has failed to produce any evidence to corroborate his alleged *bona fide* intent to use Applicant's Mark on or in connection with the goods specified in his Application at the time he filed the Application. In fact, he has affirmatively stated that not even the most basic plans were made nor actions taken to use Applicant's Mark in commerce. As such, no genuine issue of material fact exists for the Board to decide. Accordingly, Opposer respectfully requests that the Board grant Opposer's Motion for Summary Judgment and sustain its Opposition to Application Serial No. 85/477,199.



Dated: New York, NY  
July 8, 2013

**GREENBERG TRAURIG, LLP**

By: /Daniel I. Schloss/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
*Attorneys for Opposer*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 8, 2013, the foregoing Motion to Amend Opposer's Notice of Opposition was served upon Applicant by delivering same to Applicant via First Class Mail:

RICH C. YOUNG  
333 WEST GARVEY AVE SUITE 806  
MONTEREY PARK, CA 91754

/Daniel I. Schloss/

Daniel I. Schloss

# Exhibit A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: U.S. Application Serial No. 85477199



Mark:

Published: July 17, 2012

-----X

PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

-----X

**OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT**

Opposer PRL USA Holdings, Inc. ("Opposer") hereby requests, pursuant to Rule 33 of the Federal Rules of Civil Procedure and Rule 2.120 of the U.S. Trademark Rules of Practice, that Applicant Rich C. Young (hereinafter "Applicant") respond in writing to this First Set of Interrogatories within the time required by the Trademark Rules of Practice.

Dated: April 2, 2013

GREENBERG TRAURIG, LLP

By: /Seth E. Kertzer/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
*Attorneys for Opposer*

## **INSTRUCTIONS**

1. These interrogatories are addressed to Applicant and its (i) present or former directors, officers, employees, agents, representatives, accountants, investigators, consultants, attorneys, and predecessors or successors in interest and any parent, subsidiary or affiliated entities that were in existence during the applicable period of time covered by these interrogatories; (ii) any other person or entity acting on Applicant's behalf or on whose behalf Applicant acted; and (iii) any other person or entity otherwise subject to Applicant's control or which controls Applicant, or with which Applicant is under common control.

2. Applicant's answers must include all information concerning the matters inquired about available to Applicant's attorneys, and to investigators or other agents for Applicant and its attorneys.

3. If Applicant cannot answer any interrogatory fully and completely after exercising due diligence to make inquiry and secure the information necessary to do so, please so state and answer each such interrogatory to the fullest extent Applicant deems possible, specify the portion of each interrogatory that Applicant claims to be unable to answer fully and completely, state the facts upon which Applicant relies to support its contention that it is unable to answer the interrogatory fully and completely, and state what knowledge, information or belief Applicant has concerning the unanswered portion of each such interrogatory.

4. In the event that the answer to all or any part of any interrogatory is not presently known or available, Applicant shall include a statement to that effect, furnish the information known or available, and respond to the entire interrogatory by supplemental answer in writing and under oath within ten days from the time the entire answer becomes known or available. These Interrogatories seek responses as of the date hereof but shall be *deemed to be continuing* so that any additional information relating in any way to these interrogatories which Applicant acquires or which becomes known to Applicant up to and including the time of trial shall be furnished to Applicant promptly after such information is acquired or becomes known as required by Rule 26(e) of the Federal Rules of Civil Procedure.

### DEFINITIONS

1. The terms "Opposer" or "PRL" mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other persons acting or purporting to act on behalf of said entities, inclusively.
2. As used herein, "Opposer's Marks" refers to the marks identified in the Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.
3. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.
4. The term "Applicant's Products" or "Products" refers to all goods identified in Applicant's Trademark Application Serial No. 85477199.
5. The term "Applicant's Mark" shall refer to the mark identified in U.S.



Trademark Application Serial No. 85477199 for

6. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms. Finally, the terms "and" and "or" are meant as both conjunctive and disjunctive.
7. The term "Communications" means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in person, telephone conversations, telegrams, telexes, facsimiles, letters,

emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

8. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

9. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

10. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other persons having knowledge of the matter with respect to

which the company is named. In the case of "document," "identity" of the persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of each copy (including title, index number and location of the file in which it is kept or from which it was removed) and "identity" of the present custodian or person responsible for its filing or other disposition, "identity" of persons who can authenticate or "identify" it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

11. "And" and "or" shall be construed conjunctively or disjunctively, whichever makes the requests more inclusive. The term "all" shall mean "any and all" and the term "any" shall mean "any and all." The singular of any word or phrase shall include the singular of such word or phrase.

### **INTERROGATORIES**

#### **Interrogatory No. 1:**

Identify all Products offered or intended to be offered for sale by Applicant bearing Applicant's Mark.

#### **Interrogatory No. 2:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

#### **Interrogatory No. 3:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

#### **Interrogatory No. 4:**

Describe in detail the process through which Applicant's Mark was designed and developed.

#### **Interrogatory No. 5:**

Identify Applicant's total revenues from the sale and/or licensing of goods in 2011 and 2012.



**Interrogatory No. 6:**

Identify the goods manufactured, sold, and/or distributed by Applicant in 2011 and 2012.

**Interrogatory No. 7:**

Identify any other litigation or legal disputes regarding use of Applicant's Mark by stating the name and case number of the litigation or, if a legal dispute has not matured into litigation, by stating the name and address of the Person with whom Applicant has the dispute.

**Interrogatory No. 8:**

Identify all market research relating to Applicant's Mark or any product and/or service marketed or proposed to be marketed under Applicant's Mark.

**Interrogatory No. 9:**

Identify all Persons with whom Applicant has entered or intends to enter into a license, contract or other agreement, including but not limited to coexistence agreements, regarding use of Applicant's Mark.

**Interrogatory No. 10:**

Identify each person Applicant intends to call as a witness in this proceeding and the substance of the facts as to which he or she is expected to testify.

**Interrogatory No. 11:**

Identify all Persons who furnished information regarding the answers to the foregoing Interrogatories.

Dated: April 2, 2013

GREENBERG TRAURIG, LLP

By: /Seth E. Kertzer/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
*Attorneys for Opposer*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of April, 2013, the foregoing Opposer's First Set of Interrogatories was served upon Applicant by delivering same to Applicant via First Class Mail:

YOUNG, RICH C.  
333 WEST GARVEY AVE SUITE 123B  
MONTEREY PARK, CA 91754

/Seth E. Kertzer/  
Seth E. Kertzer

# Exhibit B

**IN THE UNITED STATES PATENT AND TRADE MARK OFFICE  
BEFORE THE TRADE MARK TRIAL AND APPEAL BOARD**

**In re: U.S. Application Serial No. 85477199**

**Mark: Irish Polo Club USA USA**

**Published: July 17, 2012**

PRL USA HOLDING INC

v/s

Opposer

Rich C. Young

Applicant

Opposition No.: 91206846

**APPLICANT RESPONSES TO OPPOSER'S FIRST SET OF  
INTERROGATORIES TO APPLICANT**

Rich C. Young (Applicant), Applicant responses to Opposer's First Set of Interrogatories, Pursuant to Rules 33 of the Federal Rules of Civil Procedure and rule 2.120 of the U.S. Trademark Rules of Practice, that Rich C. Young (hereinafter "Applicant") responses in writing to this first set of Interrogatories within the time required by the Trademark Rules of Practice

Dated: April 18, 2013

Respectfully Submitted.

By:  /RICH C. YOUNG/

Rich C. Young

333 W. Garvey Ave, Suite 806

Monterey Park, CA 91754

Tel: 1-626-289-8822

Email: rcy2001@gmail.com

## **INSTRUCTIONS**

1. These interrogatories are addressed to Applicant and its (i) present or former directors, officers, employees, agents, representatives, accountants, investigators, consultants, attorneys, and predecessors or successors in interest and any parent, subsidiary or affiliated entities that were in existence during the applicable period of time covered by these interrogatories; (ii) any other person or entity acting on Applicant's behalf or on whose behalf Applicant acted; and (iii) any other person or entity otherwise subject to Applicant's control or which controls Applicant, or with which Applicant is under common control.

2. Applicant's answers must include all information concerning the matters inquired about available to Applicant's attorneys, and to investigators or other agents for Applicant and its attorneys.

3. If Applicant cannot answer any interrogatory fully and completely after exercising due diligence to make inquiry and secure the information necessary to do so, please so state and answer each such interrogatory to the fullest extent Applicant deems possible, specify the portion of each interrogatory that Applicant claims to be unable to answer fully and completely, state the facts upon which Applicant relies to support its contention that it is unable to answer the interrogatory fully and completely, and state what knowledge, information or belief Applicant has concerning the unanswered portion of each such interrogatory.

4. In the event that the answer to all or any part of any interrogatory is not presently known or available, Applicant shall include a statement to that effect, furnish the information known or available, and respond to the entire interrogatory by supplemental answer in writing and under oath within ten days from the time the entire answer becomes known or available. These Interrogatories seek responses as of the date hereof but shall be *deemed to be continuing* so that any additional information relating in any way to these interrogatories which Applicant acquires or which becomes known to Applicant up to and including the time of trial shall be furnished to Applicant promptly after such information is acquired or becomes known as required by Rule 26(e) of the Federal Rules of Civil Procedure.

### DEFINITIONS

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3. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.
4. The term "Applicant's Products" or "Products" refers to all goods identified in Applicant's Trademark Application Serial No. 85477199.
5. The term "Applicant's Mark" shall refer to the mark identified in U.S.



Trademark Application Serial No. 85477199 for

6. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms. Finally, the terms "and" and "or" are meant as both conjunctive and disjunctive.

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emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

8. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

9. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

10. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other persons having knowledge of the matter with respect to

which the company is named. In the case of "document," "identity" of the persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of each copy (including title, index number and location of the file in which it is kept or from which it was removed) and "identity" of the present custodian or person responsible for its filing or other disposition, "identity" of persons who can authenticate or "identify" it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

11. "And" and "or" shall be construed conjunctively or disjunctively, whichever makes the requests more inclusive. The term "all" shall mean "any and all" and the term "any" shall mean "any and all." The singular of any word or phrase shall include the singular of such word or phrase.

### **INTERROGATORIES**

#### **Interrogatory No. 1:**

Identify all Products offered or intended to be offered for sale by Applicant bearing Applicant's Mark.

#### **Interrogatory No. 2:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

#### **Interrogatory No. 3:**

Identify all Persons responsible for inventing, creating, manufacturing, designing, and/or revising any Products that bear or will bear Applicant's Mark.

#### **Interrogatory No. 4:**

Describe in detail the process through which Applicant's Mark was designed and developed.

#### **Interrogatory No. 5:**

Identify Applicant's total revenues from the sale and/or licensing of goods in 2011 and 2012.



**Interrogatory No. 6:**

Identify the goods manufactured, sold, and/or distributed by Applicant in 2011 and 2012.

**Interrogatory No. 7:**

Identify any other litigation or legal disputes regarding use of Applicant's Mark by stating the name and case number of the litigation or, if a legal dispute has not matured into litigation, by stating the name and address of the Person with whom Applicant has the dispute.

**Interrogatory No. 8:**

Identify all market research relating to Applicant's Mark or any product and/or service marketed or proposed to be marketed under Applicant's Mark.

**Interrogatory No. 9:**

Identify all Persons with whom Applicant has entered or intends to enter into a license, contract or other agreement, including but not limited to coexistence agreements, regarding use of Applicant's Mark.

**Interrogatory No. 10:**

Identify each person Applicant intends to call as a witness in this proceeding and the substance of the facts as to which he or she is expected to testify.

**Interrogatory No. 11:**

Identify all Persons who furnished information regarding the answers to the foregoing Interrogatories.

**The Applicant's responses to INTERROGATORIES question:**

**Interrogatory No. 1**

We are in intention to use status; We don't have any business yet.

**Interrogatory No. 2**

Rich C. Young is the only creating and designs the mark logo "The Polo Club USA".

**Interrogatory No. 3.**

We are in intention to use status, We don't have any business Planning yet.

**Interrogatory No. 4**

The Mark "Irish Polo Club USA USA is created and design by Rich C. Young only.

**Interrogatory No. 5**

We are in intention to use status, We don't have any business yet.

**Interrogatory No. 6**

We are in intention to use, We don't manufacture any goods in 2011, 2012.

**Interrogatory No. 7**

We are in intention to use status, We don't have any business planning, so We don't have an person to legal dispute yet.

**Interrogatory No. 8**

We are in intention to use status, We don't have any market research yet.

**Interrogatory No. 9**

We are in intention to use status, We don't have any contract or intends to enter in a license, or any agreements yet.

**Interrogatory No. 10**

We are in intention to use status, We don't have any business yet, so We don't have any witness to testify.

**Interrogatory No. 11**

Rich C. Young is the person provide all information to answers  
to the foregoing interrogatories.

Dated: April 18, 2013.

Respectfully Submitted.

  
By:           /RICH C. YOUNG/          

Rich C. Young

333 W. Garvey Ave, Suite 806

Monterey Park, CA 91754

Tel: 1-626-289-8822

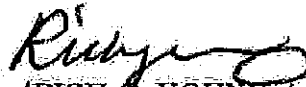
email: rcy2001@gmail.com

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Applicant Responses To Opposer's First Set Of Interrogatories was served on April 18, 2013 by first class mail, postage prepaid, in an envelope addressed to Opposer as following:

Dated: April 18, 2013

GREENBERG TRAURIG LLP  
Daniel I. Schloss  
Seth E. Kertzer  
200 Park Ave., 34<sup>th</sup> Floor  
New York, NY 10166

  
/RICH C. YOUNG/

Rich C. Young, owner  
333 W. Garvey Ave, Suite 806  
Monterey Park, CA 91754  
Tel: 1-[626] 289-8822  
Email: rcy2001@gmail.com

# Exhibit C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: U.S. Application Serial No. 85477199



Mark:

Published: July 17, 2012

-----X

PRL USA HOLDINGS, INC.,

Opposition No. 91206846

Opposer,

-against-

RICH C. YOUNG

Applicant.

-----X

**OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT**

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Rule 2.120 of the Trademark Rules of Practice, Opposer PRL USA Holdings, Inc. ("PRL" or "Opposer"), through and by its undersigned attorneys, hereby requests that Applicant Rich C. Young (hereinafter "Applicant") produce for inspection and copying at the offices of Greenberg Traurig, LLP, 200 Park Avenue, 34<sup>th</sup> Fl., New York, NY 10166, all documents as defined and set forth herein within the time required by the Trademark Rules of Practice.

Dated: April 2, 2013

GREENBERG TRAURIG, LLP

By: /Seth E. Kertzer/

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
*Attorneys for Opposer*

## DEFINITIONS AND INSTRUCTIONS

1. The terms "Opposer" or "PRL" mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of said entities, inclusively.

2. As used herein, "Opposer's Marks" refers to the marks identified in Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.

3. As used herein, "Opposer's Pony Mark" refers to the mark below, used by Opposer in various forms:



4. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.

5. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms.

6. The term "Communications" means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in Person, telephone conversations, telegrams, telexes, facsimiles, letters, emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with



business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

7. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

8. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

9. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other Persons having knowledge of the matter with respect to which the company is named. In the case of "document," "identity" of the Persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of

each copy (including title, index number and location of the file in which it is kept or from which it was removed) and "identity" of the present custodian or Person responsible for its filing or other disposition, "identity" of Persons who can authenticate or "identify" it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

10. "And" and "or" shall be construed conjunctively or disjunctively, whichever makes the requests more inclusive. The term "all" shall mean "any and all" and the term "any" shall mean "any and all." The singular of any word or phrase shall include the singular of such word or phrase.

11. The term "Applicant's Products" or "Products" refers to all goods identified in Applicant's Trademark Application Serial No. 85477199.

12. The term "Applicant's Mark" shall refer to the mark identified in U.S. Trademark



Application Serial No. 85477199 for

13. With respect to each Document believed to exist by the Applicant, but which Document cannot be located, Applicant shall, to the extent known, provide the following information:

- a) The date appearing on each such document, and if it has no date, the answer shall so state and shall give the appropriate dates, when such document was prepared;
- b) The number of pages contained in each such document;
- c) The general nature and substance of each such document including the particular, express, or implied provision of each such document;
- d) The identifying or description code number, file number, title or label of each such document;
- e) The name(s) of the Person(s) who prepared or in any way assisted in the preparation of each such document; and
- f) The name of the Person having present or last known possession, custody, and control of such document, and of each and all known copies thereof.
- g) The above information shall be given in sufficient detail to enable a party or Person to whom a Subpoena or Request for Production of Documents is

later directed to identify fully the document(s) sought to be produced or subpoenaed, and to enable counsel for Opposer to determine that such document(s), when produced, is in fact that document(s) so described.

14. If production of any document is withheld on the basis of a claim of privilege, identify each withheld document separately by providing the following information (see *Upjohn v. United States*, 449 U.S. 383 (1981)):

- a) The above the identity and position of the Person or Persons supplying the information;
- b) the place, date and manner of recording, or otherwise providing the instrument;
- c) the names of the Person or Persons other than stenographic or clerical assistance participating in the preparation of the documents;
- d) the name and position of each Person to whom the content of the document is addressed or communicated to by copying, exhibiting, reading, or substantial summarization;
- e) a general description of the subject matter of the document;
- f) the type of privilege claimed (attorney/client or work product);
- g) the basis for the claim of privilege;
- h) all facts showing that the claimed privilege has not been waived;
- i) the status of the entity claiming the privilege; and
- j) the portions of the document as to which the privilege is claimed (i.e., one sentence, one paragraph, the entire document, etc.).

15. In addition to providing supplementary and amended production as required by Rule 26(e) of the Federal Rules of Civil Procedure, Opposer requests that if Applicant subsequently obtains further or different document or items responsive to this request, it produce those documents or items promptly. If Applicant for any reason is not agreeable to providing such supplementary and amended production, Opposer requests Applicant so advise Opposer's attorneys at the time it serves his original response to this request.

**Document Request No. 1:**

All Documents requested to be identified or used as the basis for answering Opposer's First Set of Interrogatories to Applicant.

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**Document Request No. 3:**

All Documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

**Document Request No. 5:**

All Documents concerning assertions, claims or protests by third parties that Applicant's Mark, or any other of Applicant's designs, trademarks, or products, constitute(d) an infringement, or possible or potential infringement.

**Document Request No. 6:**

All Documents concerning: (a) searches performed with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Documents showing the distributors, manufacturers, and retailers with which Applicant does business.

**Document Request No. 9:**

All Documents mentioning or related to any or all of Opposer's Marks.

**Document Request No. 10:**

All Documents mentioning or related to Opposer.

**Document Request No. 11:**

All Documents, otherwise not responsive to the preceding requests, upon which Applicant will rely upon at a trial or hearing in this matter.

New York, NY

**GREENBERG TRAURIG, LLP**

Dated: April 2, 2013

By:       /Seth E. Kertzer/      

Daniel I. Schloss  
Seth E. Kertzer  
200 Park Avenue, 34<sup>th</sup> Floor  
New York, NY 10166  
Telephone: (212) 801-9200  
Facsimile: (212) 801-6400  
*Attorneys for Opposer*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of April, 2013, the foregoing Opposer's First Set of Document Requests was served upon Applicant by delivering same to Applicant via First Class Mail:

YOUNG, RICH C.  
333 WEST GARVEY AVE SUITE 123B  
MONTEREY PARK, CA 91754

/Seth E. Kertzer/  
Seth E. Kertzer

# Exhibit D

IN THE UNITED STATES PATENT AND TRADE MARK OFFICE  
BEFORE THE TRADE MARK TRIAL AND APPEAL BOARD

In re: U.S. Application Serial No. 85477199

Mark: Irish Polo Club USA USA

Published: July 17, 2012

PRL USA HOLDING INC

v/s

Opposer

Rich C. Young

Applicant

Opposition No. : 91206846

**APPLICANT RESPONSES TO OPPOSER'S FIRST SET OF  
DOCUMENT REQUEST**

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and rule 2.120 of the U.S. Trademark Rules of Practice, Opposer PRL USA Holding, Inc. ("PRL" or "Opposer"). Through and by its undersigned attorney, hereby requests that Applicant Rich C. Young (hereinafter "Applicant") produce for inspection and copying at the office of Greenburg Traurig LLP, 200 Park Avenue, 34th FL., New York, N.Y. 10166, all documents as defined and set forth herein within the time required by the Trademark Rules of Practice

Dated: April 18, 2013

By: 

/RICH C. YOUNG/

Rich C. Young

333 W. Garvey Ave, Suite 806

Monterey Park, CA 91754

Tel: 1-626-289-8822

Email: [rcy2001@gmail.com](mailto:rcy2001@gmail.com)



## DEFINITIONS AND INSTRUCTIONS

1. The terms "Opposer" or "PRL" mean PRL USA Holdings, Inc., and shall include any officers, directors, corporate parents, subsidiaries, affiliates, predecessors or successors of PRL USA Holdings, Inc., as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of said entities, inclusively.

2. As used herein, "Opposer's Marks" refers to the marks identified in Notice of Opposition in Proceeding 91206846, which are used by Opposer in various forms.

3. As used herein, "Opposer's Pony Mark" refers to the mark below, used by Opposer in various forms:



4. The terms "You," "Your," or "Applicant" mean Rich C. Young, as well as any employees, partners, agents, sales representatives, attorneys and all other Persons acting or purporting to act on behalf of Rich C. Young, inclusively.

5. The term "Person" includes any natural person, firm, association, organization, partnership, business, trust, governmental entity, joint venture, corporation or public entity. Additionally, the singular and plural forms are used interchangeably, as are the masculine and feminine forms.

6. The term "Communications" means any oral or written transmittal, correspondence, and/or receipt of words or information, whether such was by chance, pre-arranged, formal or informal, and specifically includes but is not limited to conversations in Person, telephone conversations, telegrams, telexes, facsimiles, letters, emails, reports or memoranda, formal statements, newspaper stories, notes of telephone conversations, notes of meetings, data compilations, and electronically stored data. References to Communications with

business entities shall be deemed to include Communication with all officers, directors, employees, agents, attorneys or other representatives of such entities.

7. The term "Document" shall mean and include any type of written, recorded, electronic, graphic or photographic matter of any kind or character, however produced or reproduced. The term thus includes, without limiting the generality of the foregoing, all photographs, sketches, drawings, videotapes, audiotapes, letters, telegrams, telexes, facsimiles, electronic mail, correspondence, brochures, manuals, press releases, transcripts of interviews, transcripts of speeches, product guides, contracts, consulting agreements, other agreements, business plans, deeds, drafts, work papers, plans, blueprints, specifications, comparisons, surveys, data sheets, analyses, calculations, files (and their contents), notes to the files, reports, publications, mechanical and electronic sound recordings or transcripts thereof, calendar or diary entries, memoranda of telephone or personal conversations or of meetings or conferences, maps, studies, reports, charts, interoffice communications, minutes of meetings, articles, announcements, ledgers, vouchers, checks, receipts and invoices, tax records and forms, court pleadings and papers, discovery requests and responses including originals and copies of any of the foregoing, and any material underlying, supporting or used in preparing any Document.

8. A Document refers to a subject if, for example, it constitutes, comprises, describes, sets forth, reflects, analyzes, refers to, evidences, comments upon, mentions, is connect to, discusses, contains data relating to, or pertains to the subject.

9. The phrase "Identify," or any variation of the word identify, and shall mean to specify the full name, present position and business affiliation of such Person, and last known physical address (including apartment number, if applicable), email address, telephone number and facsimile number for such Person. In the case of a company, state, name, place of incorporation, address and principal place of business and "identity" of officers or other Persons having knowledge of the matter with respect to which the company is named. In the case of "document," "identity" of the Persons originating and preparing it and the sender, its general type (e.g., letter, memo, report, invoice, etc.), title, identifying number and the general nature of its subject matter, the "identity" of the addressees and distributees, if any, its dates of preparation, its dates and manner of transmission, distribution and publication, if any, location of

each copy (including title, index number and location of the file in which it is kept or from which it was removed) and "identity" of the present custodian or Person responsible for its filing or other disposition, "identity" of Persons who can authenticate or "identify" it, and, if privilege against production is claimed, the specific basis therefore and a complete specification and description of every fact upon which the claim or privilege is based.

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12. The term "Applicant's Mark" shall refer to the mark identified in U.S. Trademark



Application Serial No. 85477199 for

13. With respect to each Document believed to exist by the Applicant, but which Document cannot be located, Applicant shall, to the extent known, provide the following information:

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- b) The number of pages contained in each such document;
- c) The general nature and substance of each such document including the particular, express, or implied provision of each such document;
- d) The identifying or description code number, file number, title or label of each such document;
- e) The name(s) of the Person(s) who prepared or in any way assisted in the preparation of each such document; and
- f) The name of the Person having present or last known possession, custody, and control of such document, and of each and all known copies thereof.
- g) The above information shall be given in sufficient detail to enable a party or Person to whom a Subpoena or Request for Production of Documents is

later directed to identify fully the document(s) sought to be produced or subpoenaed, and to enable counsel for Opposer to determine that such document(s), when produced, is in fact that document(s) so described.

14. If production of any document is withheld on the basis of a claim of privilege, identify each withheld document separately by providing the following information (see *Upjohn v. United States*, 449 U.S. 383 (1981)):

- a) The above the identity and position of the Person or Persons supplying the information;
- b) the place, date and manner of recording, or otherwise providing the instrument;
- c) the names of the Person or Persons other than stenographic or clerical assistance participating in the preparation of the documents;
- d) the name and position of each Person to whom the content of the document is addressed or communicated to by copying, exhibiting, reading, or substantial summarization;
- e) a general description of the subject matter of the document;
- f) the type of privilege claimed (attorney/client or work product);
- g) the basis for the claim of privilege;
- h) all facts showing that the claimed privilege has not been waived;
- i) the status of the entity claiming the privilege; and
- j) the portions of the document as to which the privilege is claimed (i.e., one sentence, one paragraph, the entire document, etc.).

15. In addition to providing supplementary and amended production as required by Rule 26(e) of the Federal Rules of Civil Procedure, Opposer requests that if Applicant subsequently obtains further or different document or items responsive to this request, it produce those documents or items promptly. If Applicant for any reason is not agreeable to providing such supplementary and amended production, Opposer requests Applicant so advise Opposer's attorneys at the time it serves his original response to this request.

**Document Request No. 1:**

All Documents requested to be identified or used as the basis for answering Opposer's First Set of Interrogatories to Applicant.

**Document Request No. 2:**

All Documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

**Document Request No. 3:**

All Documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

**Document Request No. 5:**

All Documents concerning assertions, claims or protests by third parties that Applicant's Mark, or any other of Applicant's designs, trademarks, or products, constitute(d) an infringement, or possible or potential infringement.

**Document Request No. 6:**

All Documents concerning: (a) searches performed with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Documents showing the distributors, manufacturers, and retailers with which Applicant does business.

**Document Request No. 9:**

All Documents mentioning or related to any or all of Opposer's Marks.

**Document Request No. 10:**

All Documents mentioning or related to Opposer.

**Document Request No. 11:**

All Documents, otherwise not responsive to the preceding requests, upon which Applicant will rely upon at a trial or hearing in this matter.

**Document Request No. 1:**

Answer: Applicant will use all documents to be identified or used as the basis for answering Opposer's First Set of Interrogatories.

**Document Request No. 2:**

Answer: Applicant will supply all documents that relate to the creation, selection, adoption and/or development of Applicant's Mark.

**Document Request No. 3:**

Answer: Applicant will supply All documents concerning agreements, proposals or negotiations with any Person to license, produce, sell, offer for sale and/or distribute products bearing Applicant's Mark.

**Document Request No. 4:**

Answer: Applicant will supply All Documents concerning the manufacturing and/or planned manufacturing, including orders and/or samples, of Products that bear or will bear Applicant's Mark.

**Document Request No. 5:**

Answer: Applicant will supply All documents concerning assertions, claims or protests by third parties that Applicant's Mark, or any other of Applicant's design, trademark, or products, constitute (d) an infringement, or possible or potential infringement.

**Document Request No. 6:**

Answer: Applicant will supply All Documents concerning: (a) searches with respect to all trademarks considered for products bearing Applicant's Mark, and (b) opinions of counsel rendered regarding these marks.

**Document Request No. 7:**

Answer: Applicant will supply the Documents sufficient to identify each different product and/or product line sold or intended to be sold by Applicant under Applicant's Mark.

**Document Request No. 8:**

Answer: Applicant will supply Documents sufficient to identify the scope and operation of Applicant's business, including but not limited to Documents showing total revenues and sales for the past three years and Document's showing the distributors, manufactures, and retailers with which Applicant does business

**Document Request No. 9:**

Answer: Applicant will supply All Document mentioning or related to any all of Opposer's Marks.

**Document Request No. 10:**

Answer: Applicant will supply All documents mentioning or related to Opposer.

**Document Request No. 11:**

Answer: Applicant will supply All Documents, otherwise not responsive to the preceding requests, upon which Applicant will rely upon at a trial or hearing in this matter.

Date: April 18, 2013

By: 

/Rich C. Young/

Rich C. Young

300 W. Garvey Ave., Suite 806

Monterey Park, CA 91754. U.S.A.

Tel: 626-289-8822

Email: [rcy2001@gmail.com](mailto:rcy2001@gmail.com)



## **CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of April, 2013, the foregoing Reposes to Opposer First Set of Document Requests was served upon Opposer by delivery same to Opposer via First Class Mail.

GREEN TRAUIG, LLP

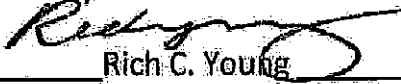
Daniel I. Schloss

Seth E. Kertzer

200 Park Avenue, 34<sup>th</sup> Floor

New York, NY 10166

By: \_\_\_\_\_



Rich C. Young

333 W. Garvey Ave., Suite 806

Monterey Park, CA 91754

## **EXHIBIT C**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

	X	
	:	
BHPC ASSOCIATES LLC,	:	
	:	
Opposer,	:	Opposition No. 91206463
	:	Serial No. 85477199
v.	:	
	:	
	:	
Young, Rich C.	:	
	:	
Applicant.	:	
	X	

**OPPOSER'S FIRST SET OF INTERROGATORIES  
TO APPLICANT RICH C. YOUNG**

Pursuant to the provisions of 37 CFR §2.120 and Rule 33 of the Federal Rules of Civil Procedure, Opposer, BHPC ASSOCIATES LLC ("BHPC") hereby serves the following interrogatories upon Applicant, Rich C. Young ("YOUNG") to be answered under oath by Applicant within thirty (30) days of service hereof.

**INSTRUCTIONS AND DEFINITION OF TERMS**

A. As used herein, the term "Opposer" refers to BHPC, and includes all other partnerships, corporations or other business entities (whether or not separate legal entities) subsidiary to, parent to, or affiliated with Opposer, including all of its or their partners, principals, officers, directors, trustees, employees, staff members, agents and representatives, including counsel for Opposer.

B. The term "Applicant" refers to YOUNG and/or his or its licensee(s), and includes all other individuals, partnerships, corporations or other business entities (whether or not separate legal entities) subsidiary to, parent to, or affiliated with Applicant, including all of his, it's or their partners, principals, officers, directors, trustees, employees, staff members, agents and representatives, including counsel for Registrant.

C. The term "Applicant's Mark" refers to the mark which is the subject matter of US Trademark Application Serial No. 85477199.

D. The term "Applicant's Goods" refers to shirts.

E. The term "Opposed Application" refers to the US Trademark Application Serial no. 85477199 for IRISH POLO CLUB USA & design to identify shirts.

F. Wherever in the following interrogatories Applicant is asked to identify documents, it is requested that the documents be identified by stating:

- a. General type of document, i.e., letter, memorandum, report, miscellaneous, notes, etc.;
- b. Date;
- c. Author;
- d. Organization, if any, with which author was connected;
- e. Addressee or recipient;
- f. Other distributees;
- g. Organization, if any, with which addressee or recipient, or distributees were connected;
- h. General nature of the subject matter to extent that Applicant can do so without divulging matter considered by it to be privileged;
- i. Present location of such document and each copy thereof known to Applicant, including the title, index number and location, if any, of the file in which the document is kept or the file from which such document was removed, if removed for the purposes of this case, and the identity of all persons responsible for the filing or other disposition of the document.

G. Wherever in the following interrogatories Applicant is asked to identify persons, it is requested that the persons be identified by stating:

- a. Their full name, home and business addresses, if known;
- b. Their employment, job title or description; and
- c. If employed by Applicant, their dates and regular places of employment and general duties.

H. Wherever in the following interrogatories Applicant is asked to identify companies or the response to an interrogatory would require the identification of a company, it is requested that the company be identified by stating:

- a. Its full corporate name;
- b. A brief description of the general nature of its business;
- c. Its state of incorporation;
- d. The address and principal place of business; and

I. The identity of the officers or other person having knowledge of the matter with respect to which the company has been identified. Wherever in the following interrogatories Applicant is asked to identify goods, products or services, or the marking used in combination with the goods or services, it is requested that the same be identified by stating the catalog, stock, model or the like number or designation, the trademark, name, type, grade, design element, or stylized appearance of the mark, and any other designation customarily used by the party concerned to designate such goods, products or services, or the like, and to distinguish it from others made by the same or a different producer.

J. Should Applicant deem to be privileged any document concerning information which is requested by any of the following interrogatories, Applicant shall list such documents and supply information as requested in Paragraph G above concerning such documents, and

additionally shall indicate that they claim privilege therefor, briefly state the nature of the document, the sender, the author, the recipient of each copy, the date, the name of each person to-whom the original or any copy was circulated, the names appearing on any circulation list of Applicant associated with such document, a summary statement of the subject matter(s) of such document in sufficient detail to permit the Trademark Trial and Appeal Board to conduct an analysis to reach a determination of any claim of privilege or exclusion and separate indication of the basis for assertion of privilege or the like for each such document

K. Whenever the terms "documents" or "all documents" are used herein, these terms are meant to include all documents available to Applicant and further to include, without limitation, any written, recorded, graphic, or printed matter, in whatever form, whether printed and/or produced by hand or any other process, specifically including (1) all originals, copies or drafts, and (2) originals, copies or drafts on which appear any notes or writings placed thereon after the document was first printed, typed, recorded, or made into graphic matter, however produced or reproduced, in the actual or constructive possession of Applicant, including, without limitation, any letters, telegrams, memoranda, writings, circulars, monographs, bulletins, manuals, speeches, audio and video tapes, drawings, blueprints, recordings, computer disks or tapes, computer electronic or optical memory devices in readable form, computer printouts, computer electronic messages, notes, correspondence, communications of any nature, summaries of records of conversations or conferences, information which can be retrieved by any process, test and/or analysis, reports and data sheets, specifications, sketches, minutes or reports and/or summaries or interviews, reports and/or summaries of investigations, opinions or reports of consultants, agreements and contracts, brochures, pamphlets, advertisements, letters to the trade, and including any tangible things within the scope of Rule 34(a)(1), Federal Rules of Civil Procedure.

Any document bearing on *any* sheet or side thereof any marks not a part of the original text or any reproduction thereof is to be considered a separate document for purposes of responding to the following specific document requests.

M. Each of the separate interrogatories herein is deemed to seek separate answers and responses as of the date hereof and these interrogatories shall be deemed to be continuing and any additional information relating in any way to these interrogatories and to events occurring or documents existing prior to the filing of the Opposition herein which Applicant acquires or which becomes known to Applicant up to and including the close of the rebuttal testimony period shall be furnished to Opposer within a reasonable time after such information is acquired or becomes known.

## **INTERROGATORIES**

### **Interrogatory No. 1:**

Identify each individual, and each officer, director, employee or agent of Applicant who was or is responsible for, or who participated in, the plans and decisions regarding the adoption and/or use of Applicant's Mark.

**Response:**

### **Interrogatory No. 2:**

Identify each individual, and each officer, director, employee or agent of Applicant who was or is responsible for, or who participated in, the plans and decisions regarding the adoption and/or use of an image of a polo player as part of Applicant's Mark.

**Response:**

### **Interrogatory No. 3:**

Describe in detail all past and existing relations, including contracts, agreements, licenses, assignments, or other relations, between Applicant and any third party, including predecessor companies, related, or affiliated companies, relating in any manner to Applicant's Mark.

**Response:**

### **Interrogatory No. 4:**

With respect to Applicant's Mark, identify the person or persons responsible for the sales, advertising and sales promotion, licensing, and assignment or other transfer of rights.

**Response:**

### **Interrogatory No. 5:**

Identify all state and federal registrations, applications for registration, and uses by Applicant or any third party of any mark which incorporates or includes an image of polo player, and for each such registration, application, and use, identify all documents relating thereto.

**Response:**

**Interrogatory No. 6:**

Identify and describe each of the goods on which Applicant's Mark has been used or is intended to be used.

**Response:**

**Interrogatory No. 7:**

Identify and describe each of the goods on which Applicant's Mark has been used or is intended to be used in commerce.

**Response:**

**Interrogatory No. 8:**

Identify all documents and set forth with specificity all facts regarding the selection of Applicant's Mark including, without limitation, the circumstances and method by which Applicant adopted an image of a polo player as a part of Applicant's Mark.

**Response:**

**Interrogatory No. 9:**

Identify all manufacturers of goods bearing Applicant's Mark.

**Response:**

**Interrogatory No. 10:**

For each of the goods identified in the Opposed Application, identify all documents supporting the date on which the mark was first used.

**Response:**

**Interrogatory No. 11:**

For each of the goods identified in the Opposed Application, identify all documents supporting the date on which the mark was first used in commerce.

**Response:**

**Interrogatory No. 12:**

Identify each different sign, display, point-of-sale display, label, hangtag, wrapper, container, package, advertisement, brochure, promotional material, and the like, known to Applicant which contains or bears Applicant's Mark and which has been used or disseminated in commerce by Applicant or by his or its licensee.

**Response:**

**Interrogatory No. 13:**

With respect to the use or intended use of Applicant's mark in commerce, identify the following documents:

- A) all business and/or marketing plans
- B) all correspondence with third party manufacturers and/or vendors, and
- C) all internal memoranda and/or e-mail correspondence regarding specific plans to produce and /or launch products in commerce identified by Applicant's Mark

**Response:**

**Interrogatory No. 14:**

Has Applicant or anyone on behalf of Applicant ever licensed or permitted or had negotiations to license or permit, or otherwise granted rights to third parties to use Applicant's Mark or any mark including an image of a polo player as a component? If so, identify the party or parties who have received or sought such license or permission or other right, state the nature and extent of any such license or permitted use or right, given or negotiated, and identify and describe all documents comprising or containing any such license, permission, or other right, or any agreement in respect to such mark.

**Response:**

**Interrogatory No. 15:**

State whether Applicant had a bona fide intent to use Applicant's mark in commerce on shirts on the date on which the Opposed Application was filed.

**Response:**

**Interrogatory No. 16:**

Set forth in detail each fact which supports or tends to support the claim that Applicant had a bona fide intent to use Applicant's mark in commerce on shirts on the date on which the Opposed Application was filed.



**Interrogatory No. 17:**

State the channels of trade in which Applicant's Mark is, has been or is intended to be used and/or in which goods bearing Applicant's Mark are, have been or are intended to be sold.

**Response:**

**Interrogatory No. 18:**

Identify with specificity the marketing methods used or intended to be used in the advertising and/or sale of goods under Applicant's Mark.

**Response:**

**Interrogatory No. 19:**

Identify each non-expert witness that Applicant expects to testify, the subject matter on which the witness is expected to testify, each fact and/or opinion to which the witness is expected to testify, the bases for each opinion and identify all documents that relate in any way to the subject matter, facts, and/or circumstances as to which the witness is expected to testify.

**Response:**

**Interrogatory No. 20:**

Identify each person who participated in or supplied information used in answering any of the above interrogatories; beside the name of each such person, state the number of the interrogatory answer(s) with respect to which that person participated in or supplied information.

**Response:**

Dated: May 17, 2013

Respectfully submitted,

**EPSTEIN DRANGEL LLP**

By: 

Robert L. Epstein

60 East 42<sup>nd</sup> Street

Suite 2410

New York, New York 10165

Tel. No.: (212) 292-5390

Fax No.: (212) 292-5391

Attorneys for Opposer

## **EXHIBIT D**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BHPC ASSOCIATES LLC,  v/s  YOUNG, RICH C.	} } } } } } } } } }	<b>Opposition No. 91206463</b> <b>Serial No. 85477199</b>
Opposer		
Applicant		

**RESPONSE OPPOSER'S FIRST SET OF INTERROGATORIES  
TO APPLICANT RICH C. YOUNG**

Pursuant to the provisions of 37 CFR 2.120 and Rule 33 of the Federal Rules of Civil Procedure, Opposer, BHPC ASSOCIATES LLC ("BHPB") hereby serves the following interrogatories upon Applicant, Rich C. Young ("Young") to be answered under oath by Applicant within (30) days of service hereof.

**RESPONSE TO INTERROGATORIES**

Interrogatory No. 1:

Identify each Individual, and each officer, director, employee or agent of Applicant who was or is responsible for, or who participated in, the plans and decisions regarding the adoption and/or use of Applicant's Mark.

Response: Rich C. Young is the only person who responsible for the use of Applicant's marks.

Interrogatory No. 2:

Identify each individual, and each officer, director, employee or agent of Applicant who was or is responsible for, or who participated in, the plans and decisions regarding the adoption and/or use of an image of polo player as part of Applicant's Mark.

Response: We are in intent to use status; We don't manufactured and use the Applicant's Mark in the market place yet.

Interrogatory No. 3:

Describe in detail all past and existing relations, including contracts, agreements, licenses, assignments, or other relations, between Applicant and any third party, including predecessor companies, related, or affiliated companies, relating in any manner of Applicant's Mark.

Response: We are not doing any business yet, we are in intent to use status, so We don't signs and any contract yet.

Interrogatory No. 4:

With respect to Applicant's Mark, identify the person or person responsible for the sales, advertising and sales promotion, licensing, and assignment or other transfer of rights.

Response: We are in intent to use status; We don't have any business activities yet.

Interrogatory No.5:

Identify all state and Federal registrations, applications for registration, and uses by Applicant or any third party of any mark which incorporates or includes an image of polo player, and for each such registration, application, and use, identify all documents relating thereto.

Response: Applicant has filed an application with US. Patent and Trademark Office Serial No. 85477199, date Nov 19, 2011 now in intent to use status. So Applicant don't use the Mark yet, therefore no any of use of Applicant's image of polo player yet.

Interrogatory No. 6:

Identify and describe each of the goods on which Applicant's Mark has used or is intended to be used.

Response: Applicant doesn't have any business activities yet.

Interrogatory No. 7:

Identify and describe each of the goods on which Applicant's Mark has been used or is intended to be used in commerce

Response: Applicant doesn't open the business yet. So Applicant's Mark not has been used or is intending to use in commerce.

Interrogatory No. 8:

Identify all documents and set forth with specificity all facts regarding the selection of Applicant's Mark including, without limitation, the circumstances and method by which Applicant adopted an image of a polo player as a part of Applicant's Mark.

Response: Applicant doesn't have any business open yet.

Interrogatory No. 9:

Identify all manufacturers of goods bearing Applicant's Mark.

Response: Applicant doesn't open any business yet.

Interrogatory No. 10:

For each of the goods identified in the Opposed Application, identify all documents supporting the date on which the mark was first use.

Response: Applicant doesn't have any business yet. So Applicant doesn't use the Applicant Mark yet.

Interrogatory No. 11:

For each of the goods identify in the Opposed Application, identify all documents supporting the date on which the mark was first used in commerce.

Response: We are in intent to use status; We don't have any use of the Mark in commerce yet.

Interrogatory No. 12:

Identify each different sign, display, point-of-sale display, label, hangtag, wrapper, container, package, advertisement, brochure, promotional material, and the like, known to Applicant which contains or bears Applicant's Mark and which has been used or disseminated in commerce by Applicant or by his or its licensee.

Response: We don't open for business yet, so we don't have any sign, display, label, container, etc. made yet.

Interrogatory No. 13:

With respects to the use or intended use of Applicant's mark in commerce, identify the following documents:

- A) All business and/or marketing plans.
- B) All correspondence with third party manufacturers and/or vendors, and
- C) All internal memoranda and/or email correspondence regarding specific plans to produce and/or launch products in commerce identified by Applicant's Mark.

Response: We are not open any business yet, so We don't have any activity regarding on the above mention questions.

Interrogatory No. 14:

Has Applicant or any one on behalf of Applicant ever licensed or permitted or had negotiation to license or permit, or otherwise granted right to third party to use Applicant's Mark or any mark including an image of polo player as a component? If so, identify the party or parties who have received or sought such license or permission or other right, state the nature and extent of any such license or permitted use or right, given or negotiated, and identify and describe all documents comprising or containing any such license, permission, or other right, or any agreement in respect to such mark.

Response: Applicant doesn't open for business yet, so Applicant doesn't have any activities as mention on above.

Interrogatory No. 15:

State whether Applicant had a bona fide intent to use Applicant's Mark in commerce on shirts on the date on which the Opposed Applicant was filed.

Response: Applicant doesn't open for business yet, so Applicant doesn't have any activity yet.

Interrogatory No. 16:

Set forth in detail each fact which supports or tends to support the claim that Applicant had a bona fide intent to use Applicant's Mark in commerce on shirt on the date on which the Opposed Application was filed.

Response: Applicant doesn't open for business yet, so Applicant doesn't have any use of Mark.

Interrogatory No. 17:

State the channels of trade in which Applicant's Mark is, has been or is intended to be used and/or in which goods bearing Applicant's Mark are, have been or are intended to be sold.

Response: We don't open for business yet, so we don't have any activity as mention on above.

Interrogatory No. 18:

Identify with specify the marketing methods used or intended to be used in the advertising and/or sale of goods under Applicant' Mark.

Response: We don't open for the business yet, so we don't have any activity as mention on above.

Interrogatory No. 19:

Identify each non-expert witness that Applicant expects to testify, the subject matter on which the witness is expected to testify, each fact and/or opinion to which the witness is expected to testify, the bases for each opinion and identify all documents that relate in any way to the subject matter, facts, and/or circumstance as to which the witness is expected to testify.

Response: Applicant not opens for business yet, so Applicant doesn't have any activity as mention on above.

Interrogatory No. 20:

Identify each person who participated in or supplied information used in answering any of the above interrogatories; beside the name of each such person, stat the number of the interrogatory answer(s) with respect to which that person participated in or supplied information.

Response: The person answered the interrogatories and supplied the information is Mr. Rich C. Young only.

Dated: 1 June 2013

Respectfully Submitted

By: \_\_\_\_\_ Rich C. Young \_\_\_\_\_  
Rich C. Young  
333 W. Garvey Ave, Suite 806  
Monterey Park, CA 91754  
Tel: 626-289-8822  
Email: [rcy2001@gmail.com](mailto:rcy2001@gmail.com)



CERTIFICATE OF SERVICE

I hereby certify that a true and completed copy of the foregoing response to Opposer's First Set of Interrogatories to Opposer EPSTEIN DRANGEL LLP was served by First Class Mail, with sufficient postage prepaid.

Dated: 1 June 2013.

EPSTEIN DRANGEL LLP  
Robert L. Epstein  
60 East 42<sup>nd</sup> Street  
New York, NY 10165

By: \_\_/Rich C. Young/\_\_\_\_  
Rich C. Young  
333 W. Garvey Ave, Suite 806  
Monterey Park, CA 91754  
Tel: 626-289-8822  
Email: rcy2001@gmail.com

## **EXHIBIT E**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

	X	
	:	
BHPC ASSOCIATES LLC,	:	
	:	
Opposer,	:	Opposition No. 91206463
	:	Serial No. 85477199
v.	:	
	:	
	:	
Young, Rich C.	:	
	:	
Applicant.	:	
	X	

**OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS  
TO APPLICANT RICH C. YOUNG**

Pursuant to the provisions of 37 CFR §2.120 and Rule 34 of the Federal Rules of Civil Procedure, Opposer, BHPC ASSOCIATES LLC ("BHPC") hereby serves the following requests for production of documents upon Applicant, Rich C. Young ("YOUNG") to be answered under oath by Applicant within thirty (30) days of service hereof.

**INSTRUCTIONS AND DEFINITION OF TERMS**

A. As used herein, the term "Opposer" refers to BHPC, and includes all other partnerships, corporations or other business entities (whether or not separate legal entities) subsidiary to, parent to, or affiliated with Opposer, including all of its or their partners, principals, officers, directors, trustees, employees, staff members, agents and representatives, including counsel for Opposer.

B. The term "Applicant" refers to YOUNG and/or his or its licensee(s), and includes all other individuals, partnerships, corporations or other business entities (whether or not separate legal entities) subsidiary to, parent to, or affiliated with Applicant, including all of his, it's or their partners, principals, officers, directors, trustees, employees, staff members, agents and representatives, including counsel for Applicant.

C. The term "Applicant's Mark" refers to the mark which is the subject matter of US Trademark Application Serial No. 85477199.

D. The term "Applicant's Goods" refers to shirts.

E. The term "Opposed Application" refers to the US Trademark Application Serial no. 85477199 for IRISH POLO CLUB USA & design to identify shirts.

F. Should Applicant deem to be privileged any document production of which is requested by any of the following requests, Applicant shall list such documents and additionally shall indicate that privilege is claimed therefor, briefly state the nature of the document, the sender, the author, the recipient of each copy, the date, the name of each person to-whom the original or any copy was circulated, the names appearing on any circulation list of Applicant associated with such document, a summary statement of the subject matter(s) of such document in sufficient detail to permit the Trademark Trial and Appeal Board to conduct an analysis to reach a determination of any claim of privilege or exclusion and separate indication of the basis for assertion of privilege or the like for each such document

G. Whenever the terms "documents" or "all documents" are used herein, these terms are meant to include all documents available to Applicant and further to include, without limitation, any written, recorded, graphic, or printed matter, in whatever form, whether printed and/or produced by hand or any other process, specifically including (1) all originals, copies or drafts, and (2) originals, copies or drafts on which appear any notes or writings placed thereon after the document was first printed, typed, recorded, or made into graphic matter, however produced or reproduced, in the actual or constructive possession of Applicant, including, without limitation, any letters, telegrams, memoranda, writings, circulars, monographs, bulletins, manuals, speeches, audio and video tapes, drawings, blueprints, recordings, computer disks or tapes, computer electronic or optical memory devices in readable form, computer printouts, computer electronic messages, notes, correspondence, communications of any nature, summaries of records of conversations or conferences, information which can be retrieved by any process, test and/or analysis, reports and data sheets, specifications, sketches, minutes or reports and/or summaries or interviews, reports and/or summaries of investigations, opinions or reports of consultants, agreements and contracts, brochures, pamphlets, advertisements, letters to the trade, and including any tangible things within the scope of Rule 34(a)(1), Federal Rules of Civil Procedure.

Any document bearing on *any* sheet or side thereof any marks not a part of the original text or any reproduction thereof is to be considered a separate document for purposes of responding to the following specific document requests.

H. Each of the separate requests herein is deemed to seek separate responses as of the date hereof and these requests shall be deemed to be continuing and any additional information relating in any way to these requests and to events occurring or documents existing prior to the filing of the Opposition herein which Applicant acquires or which becomes known to Applicant up to and including the close of the rebuttal testimony period shall be furnished to Opposer within a reasonable time after such information is acquired or becomes known.

## **REQUESTS FOR PRODUCTION**

### **Request No. 1:**

Produce all documents which record, refer to, or relate to the organization, incorporation, structure, operation and activities of Applicant insofar as they relate to any products sold by and/or intended to be sold, offered or promoted by Applicant under Applicant's Mark.

### **Request No. 2:**

Produce all documents which record, refer to, or relate to any licenses, assignments, agreements, contracts, and/or arrangements between Applicant and any third party which relate in any manner to Applicant's Mark.

### **Request No. 3:**

Produce all documents which record, refer to, or relate to Applicant's use or intent to use Applicant's Mark in commerce in connection with any goods and/or services.

### **Request No. 4:**

Produce all documents which record, refer to, or relate to Applicant's advertising, intended advertising, promotion, and/or intended promotion of any goods under Applicant's Mark in commerce.

### **Request No. 5:**

Produce all documents which record, refer to, or relate to Applicant's sales or intended sales of any goods and/or services under Applicant's Mark in commerce.

### **Request No. 6:**

Produce all documents which refer to, relate to, or are in any way concerned with the preparation, filing and/or prosecution of any applications for registration, state or federal, of marks incorporating an image of a polo player by Applicant including, without limitation, Applicant's Mark and Applicant's Application.

### **Request No. 7:**

Produce a sample of each different logotype, design, hang tag, packaging, font of type or style in which Applicant's Mark and/or any designation including an image of a polo player was used in commerce, by or on behalf of Applicant.

### **Request No. 8:**

Produce a sample of each and every different advertisement, intended advertisement, item of promotional material and/or intended item of promotional material printed and/or disseminated by or for Applicant in commerce, in which Applicant's Mark appears and/or any designation that includes an image of a polo player appears.

### **Request No. 9:**

Produce a sample of each product which was sold by Applicant in commerce on which Applicant's Mark appears.

**Request No. 10:**

Produce copies of all television commercials, press releases, radio scripts and other media advertising not previously requested herein, prepared by or for Applicant, whether or not released or aired, in which Applicant's Mark appears.

**Request No. 11:**

Produce all documents which record, refer to, or relate to Applicant's advertising and/or promotional expenditures, or expected advertising and/or promotional expenditures, for any goods offered for sale, sold and/or distributed in commerce under Applicant's Mark, including, without limitation, the advertising medium, the dates of any such advertisements or promotions, and the cost associated with such advertisements and/or promotions.

**Request No. 12:**

Produce all documents which record, refer to, or relate to the amount of sales by calendar quarter of goods sold by or for Applicant in commerce Applicant's Mark, without limitation, the identification of the goods the number of units and/or services sold, the dates of the sales, and the dollar value of the sales.

**Request No. 13:**

Produce all documents which, in whole or in part, refer or relate to the sale of shirts under Applicant's Mark in commerce by or with the permission of Applicant.

**Request No. 14:**

Produce all documents which, in whole or in part, refer or relate to any pending or concluded opposition, litigation or other legal proceeding involving Applicant's Mark, including but not limited to pleadings, interrogatories, requests for document production, requests for admissions, responses to interrogatories, responses to requests for document production, responses to requests for admission, motions, decisions, settlements, negotiations regarding settlement, and all correspondence relating to any of the foregoing.

**Request No. 15:**

Produce all documents which, in whole or in part, refer or relate to Applicant's intent to use Applicant's Mark in commerce.

**Request No. 16:**

Produce all documents which, in whole or in part, support a claim that Applicant had a bona fide intent to use Applicant's Mark at the time the Opposed Application was filed.

**Request No. 17:**

Produce a copy of all documents, other than those produced to any of the foregoing requests, upon which Applicant intends to rely in connection with this Opposition proceeding.

**Request No.18:**

Produce all documents identified in response to Opposer's First Set of Interrogatories to Applicant, not produced in response to the above requests.

Dated: May 17, 2013

Respectfully submitted,

**EPSTEIN DRANGEL LLP**

By: 

Robert L. Epstein  
60 East 42<sup>nd</sup> Street  
Suite 2410  
New York, New York 10165  
Tel. No.: (212) 292-5390  
Fax No.: (212) 292-5391

Attorneys for Opposer  
BHPC Associates LLC

## EXHIBIT D



## **EXHIBIT F**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BHPC ASSOCIATES LLC,	}	
	}	
Opposer	}	
	}	
v/s	}	<b>Opposition No. 91206463</b>
	}	<b>Serial No. 85477199</b>
	}	
YOUNG, RICH C.	}	
	}	
Applicant	}	
	}	

**RESPONSE TO OPPOSER'S FIRST SET OF REQUESTS FOR PRODUCTION  
OF DOCUMENTS TO APPLICANT RICH C. YOUNG**

Pursuant to the provisions of 37 CFR 2.120 and Rule 34 of the Federal Rules of Civil Procedure, Opposer, BHPC ASSOCIATES LLC (BHPC") hereby serves the following requests for production of documents upon Applicant, Rich C. Young ("YOUNG") to be answered under oath by Applicant within thirty (30) days of service hereof.

**REQUESTS FOR PRODUCTION:**

Response to request No. 1:

Applicant will product all documents which records, refer to, or relate to the organization, incorporation, structure, operation and activities of Applicant insofar as they relate to any products sold by and/or intended to be sold, offered or promoted by Applicant under Applicant's Mark. Applicant not opens for business yet. So they don't have anything to produce and support it.

Response to request No.2:

Applicant doesn't open for business yet, so Applicant doesn't sign any agreement, contracts yet.

Response to request No. 3:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet.

Response to request No. 4:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet. Therefore Applicant doesn't have any advertising yet.

Response to request No. 5:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in commerce yet.

Response to request No. 6:

Applicant doesn't have any prepare to filing with Corporation Bureau with the image of a Polo player logo.

Response to request No. 7:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet. So Applicant doesn't produce hang tag, packing with the image with Polo player on it.

Response to request No. 8:

Applicant doesn't have any business activities, so Applicant doesn't have any advertisement, item of promotional material, promotional printed materials.

Response to request No. 9:

Applicant doesn't have any business activities, so Applicant doesn't sold any produce bearing with the image of polo player on it.

Response to request No 10:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in the radio, Television commercial advertisements yet.

Response to request No. 11:

Applicant doesn't open for business yet, so Applicant doesn't use Applicant Mark in promotional advertising yet.

Response to request No. 12:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet. So Applicant doesn't have any records or documents of the number of sales.

Response to request No. 13:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet.

Response to request No. 14:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet.

Response to request No. 15:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet. Applicant only to use the Mark, when the Mark have been approved by the Patent & trademark Office.

Response to request No. 16:

Applicant doesn't have any business activities, so Applicant doesn't use Applicant Mark in market yet. Applicant only to use the mark when the mark has been approved by the Patent and Trademark Office.

Response to request No. 17:

Applicant will provide all documents and copy it send to Opposer, if Applicant do have it.

Response to request No. 18:

Applicant will produce all documents identified in response to Opposer's First Set of Interrogatories.

Dated: 1 June 2013

Respectfully submitted

\_\_\_\_\_/Rich C. Young/\_\_\_\_\_  
Rich C. Young  
333 W. Garvey Ave, suite 806  
Monterey Park, CA 91754  
Tel: 626-289-8822  
Email: rcy2001@gmail.com

**CERTIFICATE OF MAILING**

I hereby certify that a true and completed copy of the foregoing Response Opposer's First Set of Request for Production of Documents to Applicant Rich C. Young was by First Class Mail, with sufficient postage prepaid on 1 June 2013.

Dated: 1 June 2013

Robert L. Epstein  
EPSTEIN DRANGEL LLP  
60 East 42<sup>nd</sup> Street, Suite 2410  
New York, NY 10165

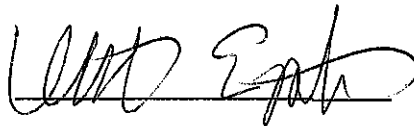
By: \_\_\_\_\_/RICH C. YOUNG/\_\_\_\_\_  
Rich C. Young  
333 W. Garvey Ave, Suite 806  
Monterey Park, CA 91754  
Tel: 626-289-8822  
Email: rcy2001@gmail.com

\*\*\*\*\*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Motion for Suspension of Proceeding and EXHIBITS A-F thereto was served by Federal Express, with sufficient postage prepaid, on this 16<sup>th</sup> day of August, 2013, upon Applicant at the following address:

Rich C. Young.  
333 West Garvey Ave. Suite 806  
Rosemead, CA 91754

BY: 

Robert L. Epstein

\*\*\*\*\*